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## NOTE.

## INTRODUCTORY NOTE.

References throughout this report to the Government of India Act are to the Government of India Act, 1935.

Madras ..	126,653	44,183,690	59,083,342	6,044,747	3,240,224	28,659	12,311	1,703,791
Bombay ..	77,221	18,192,478	16,692,932	1,673,896	1,602,383	14,176	18,028	267,460
Bengal ..	72,514	50,114,002	22,493,659	9,121,025	27,497,621	27,573	20,886	120,131
The United Provinces ..	106,248	48,408,763	40,905,586	12,591,523	7,161,927	11,263	22,013	170,216
The Punjab ..	91,019	23,531,210	6,328,415	1,440,550	13,302,991	2,895	19,106	392,144
Bihar ..	69,318	32,371,431	28,194,621	4,490,599	4,140,327	1,892	1,390	331,185
The Central Provinces and Berar ..	99,920	16,667,723	14,815,054	2,927,313	682,854	4,740	5,075	35,531
Assam ..	27,672	8,214,076	4,858,770	572,410	2,753,603	558	2,901	117,200
The North West Frontier Province ..	13,518	2,425,003	142,077	..	2,227,303	160	7,947	4,116
Orissa ..	32,681	6,174,251	8,913,018	1,006,963	131,233	635	856	36,573
Sind ..	46,378	3,887,070	1,015,225	99,551	2,830,800	1,930	6,576	6,027

Backward Tribes—	Bihar ..	3,855,076	Sikhs—	Punjab ..	..	3,061,144
	Assam ..	470,033		N. W. F. P.	..	42,510
	Orissa ..	1,174,534		Bombay ..	..	6,004,660
Tribal religions—	Bengal ..	528,037	Mahrattas—			



## CHAPTER I.—INTRODUCTION.

THE MOST HON'BLE THE MARQUESS OF ZETLAND, G.C.S.I., G.C.I.E.,  
SECRETARY OF STATE FOR INDIA.

MY LORD MARQUESS,

We have the honour to submit for the information of His Majesty's Government the Report of the Indian Delimitation Committee. The terms of reference to the Committee are contained in your letter of the 31st July 1935 to our Chairman, which is printed as Appendix I to this Report. The composition of the Committee is as follows :—

### *Chairman.*

Sir Laurie Hammond, K.C.S.I., C.B.E.

### *Members.*

The Hon'ble Sir M. Venkatasubba Rao, a Judge of the Madras High Court.

The Hon'ble Mr. Din Muhammad, a Judge of the Lahore High Court.

### *Tour and procedure.*

2. The Chairman left England on the 13th September 1935, and arrived in Bombay on the 26th September. The Committee held their first meeting at Simla on the 30th September. After a preliminary review of the main problems arising out of their terms of reference and of the material which had been received from the various local Governments, they investigated the problems of delimitation in the Punjab, and thereafter proceeded on a tour of the provinces. In the course of their tour, which did not conclude until the 24th December, the Committee visited every province in India. In addition, they visited the headquarters of the new province of Sind at Karachi, while advantage was taken of their visit to Ranchi to examine and take evidence on the problems arising out of the delimitation of constituencies in Orissa. In framing their recommendations, the Committee have also had the advantage of first hand discussion with the local Governments and the Provincial Delimitation Committees concerned, and in addition, in every case in which they found it desirable in this way to supplement the information at their disposal, they have taken oral evidence. The total distance covered by the Committee during their tours in India is about 9,500 miles. The public interest taken in their enquiries may be gauged from the fact that they have received in all 1,383 representations, of which 339 were addressed to them direct, and that they heard the oral evidence of no fewer than 331 witnesses.

3. In their terms of reference to us His Majesty's Government laid special emphasis on the importance which they attached to the submission of the report at the earliest date consistent with the satisfactory completion of our enquiries, and we wish to place on record our deep appreciation of the ready assistance given us in every province by officials and non-officials alike, and by the Government of India, in the endeavours which we made to reduce the time occupied by our investigations to the minimum compatible with an adequate examination

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of the material placed before us and of the representations which we received in every province on matters of detail affecting the delimitation of individual constituencies.

*The Committee's task.*

4. The task which our Committee was required to discharge is briefly the preparation of a complete scheme of delimitation of the constituencies, whether territorial constituencies or constituencies allotted to representatives of special interests, in the legislatures to be established under the provisions of the Government of India Act. Our terms of reference further contemplated that we should investigate a variety of minor, but important and difficult, questions which are connected with the main problem of delimitation, and make recommendations regarding them. We may instance the method of voting to be adopted in plural member constituencies, the qualifications of electors and of candidates in the constituencies to be established for the representation of special interests; and the controversial and delicate questions which arise out of the electoral arrangements under the Poona Pact. In one respect, our labours have been lightened. His Majesty's Government had originally contemplated that we should advise them on the qualifications to be prescribed for electors in the Chief Commissioners' provinces. They subsequently decided that it would be preferable that they should themselves reach a decision on this question, and our recommendations regarding Chief Commissioners' provinces are confined accordingly to the delimitation of the constituencies in those provinces.

*Steps taken to elicit public opinion.*

5. His Majesty's Government drew our special attention to the importance of ensuring that, in framing our recommendations, our Committee should do so with a full appreciation of the various currents of public opinion, and in particular of those factors which affect the position of minorities and special interests. It will not be amiss to indicate briefly the procedure which we decided to adopt, with a view to ensuring that in reaching our conclusions we were fully seized of all aspects of the questions before us. We may, in the first place, explain that in conducting our enquiries, we had the advantage of a long and intensive period of preparation on the part of local Governments. While it was of course impossible for them to formulate final recommendations as regards the delimitation of constituencies, until parliamentary approval had been given to the Government of India Bill, the various local Governments concerned had made certain preliminary investigations, with the assistance in most cases of representative committees largely composed of members of the provincial legislatures and of representatives of special interests, who were competent to speak with authority on the more technical matters calling for examination.

6. When we started our tour, we thus found available to us a mass of material representing the results of investigations which had been conducted over a period of two years or more on a provisional basis by the local Governments concerned and by the Provincial Delimitation or Advisory Committees, which had in all provinces been established to assist them

in their task. We had, in addition, the advantage in most provinces of reports of debates in the provincial legislature on the proposals to be submitted to us for consideration. In each province, except the United Provinces (where we had the assistance of a very full and lucid statement of the views of the Provincial Advisory Conference), we discussed the situation in detail with the Provincial Committee before we started to hear public evidence. From the list of the personnel of the various Provincial Committees which is given in Appendix II to our Report, it will be seen that those bodies were well qualified to give advice and information of great value in an investigation such as ours, and we gratefully recognise their assistance. Had it not been for the invaluable preparatory work performed by local Governments and by the Provincial Committees, it would not have been possible for us to have compressed our enquiries into the relatively brief period which they have taken. The recommendations which we now have the honour to submit have been framed in the light of a full expression of public opinion. One political party, the Congress, did not appear before us, but the views which it held concerning the matters referred to us for enquiry were made known to us, either through some of the witnesses who appeared before us, or in the press. Moreover we tried to acquaint ourselves with its opinions from the debates in the local legislatures and in the Legislative Assembly.

*Absence of restrictions in terms of reference*

7. The Boundary Commission which was appointed in connection with the Representation of the People Bill in 1917 to advise as to the boundaries of the constituencies in England and Wales, was given precise instructions as to the principles to govern its investigations. Those instructions laid down, for example, the minimum population which should be held to justify the grant of separate representation, the scale on which representation should be accorded to units containing more than that minimum population, the extent to which and the conditions in which multi-member constituencies would be permissible, the manner in which industrial and rural areas should be separated from one another for the purpose of representation, and the circumstances in which boroughs, which were to lose the right of separate representation in Parliament, might be combined with other boroughs instead of being merged in the county or county division. In their instructions to us, His Majesty's Government, having regard to the differences in provincial conditions, and the size of the field to be covered, deliberately refrained from any such precise indication of the principles which were to govern our investigations.

8. The debates in Parliament on the Government of India Act and, in particular, the discussions which took place on the question of the franchise, brought into prominence the very marked differences in the outlook of the various Indian provinces, and the extreme difficulty of laying down principles which would admit of uniform application to all provinces. That such differences should exist is not surprising, when it is remembered that we are dealing with a sub-continent, three of whose nine provinces contain a larger population than France, which

presents varieties of climatic conditions such as may be expected in an area stretching from the Himalayas almost to the equator, and which contains people of different races speaking different languages, with different historical backgrounds. The difficulties, and indeed the dangers, of aiming at an artificial uniformity in dealing with a country, in different parts of which conditions are so markedly divergent, were emphasised by His Majesty's Government in their terms of reference to us.

*Impracticability of uniformity.*

9. It would have been pleasant, if as a result of our rapid tour through the sub-continent of Hindustan, we could have reported certain uniform principles which might govern generally the delimitation of constituencies. Unfortunately this is not the case. Our investigations in the various provinces have brought home very forcibly to us the radical differences in provincial conditions and the importance of giving the fullest weight to provincial feeling in the details of both delimitation and the election of members to the Legislatures. These differences are based on experience of electoral arrangements extending over a period of fifteen years and on a full appreciation of the vital importance of the decisions now to be taken in their effect on future political arrangements. We have been compelled to recognise the impracticability of applying any uniform principle even in matters so important and so general in their bearing as the question of multi-member or single-member constituencies, the method of voting to be adopted, or the basis on which representation is to be accorded to urban and rural areas. We deal with these two questions of principle in some detail in succeeding chapters. As other instances of divergent opinions, we found in Bombay a desire that all labour constituencies should be formed from trade unions, while in Madras the local Government considered no trade union should be used for this purpose. Madras and the Central Provinces desired that the University constituency should be restricted to the Senate, while elsewhere it was proposed that graduates should have the vote in this constituency. In Bihar and Orissa and in Madras there was a strong desire for the single non-transferable vote, the Punjab preferred the distributive, and Bombay the cumulative vote. Anxious as we have been to apply so far as possible the same governing principles in each of the provinces we have visited, it has proved impossible to do so without a complete disregard of the actual situation with which we found ourselves confronted. Provincial differences go very deep, and, while we have endeavoured to apply a common principle wherever possible, more particularly in the case of the seats reserved for special interests, we wish to emphasise that in so far as we have departed from that ideal, and have been compelled to adopt apparently conflicting principles in the case of individual provinces, we have done so only because we are satisfied, after full discussion with the local Governments, with the provincial Committees, and with representatives of public opinion in the provinces, that the recommendation we have framed is that which best corresponds to provincial needs and desires and represents, to the best of our belief, the nearest approach to a general consensus of public opinion.

## CHAPTER II.—URBAN VERSUS RURAL.

10. Parliament has always taken a very close interest in the question of the relative representation of the urban and rural population, both on the electoral roll and in the legislatures, and our terms of reference directed our special attention to this difficult problem. It is one which is so intimately bound up with the general basis of the territorial constituencies in the various provinces that we think it better to postpone any detailed examination of the proposals of individual Governments, until we come to deal with the general basis of territorial seats in each province. But the general importance of the question is such that we think it both desirable and convenient at the outset of our report to review briefly its more recent history ; to indicate the main problems which call for consideration in connection with it ; to state in very general terms the categories into which the recommendations of local Governments regarding it fall ; and in conclusion, to indicate the principles which have guided us in dealing with it and the points which we have regarded as calling for special watchfulness on our part.

*The origin of the distinction.*

11. The Southborough Committee recommended (paragraph 12), and Parliament accepted their recommendation, that as a rule the smaller towns should be merged in the rural constituencies, and that these towns should be combined to form urban constituencies only where local circumstances rendered such a course desirable, *i.e.*, where the towns might otherwise dominate rural interests. The amount of representation given to urban constituencies should be on a liberal basis as compared with their population. This latter recommendation the Southborough Committee justified on the ground of the " superior standard of wealth and intelligence and ..... the larger interest evinced in political questions " in the towns. They added, " The towns have moreover a more extended experience of the use of the franchise, since it has been more widely exercised in municipal than in rural local self-government ".

12. The arrangements which resulted from the report of the Southborough Committee remain in force at the present day. The question is, however, one which attracted the special attention of the Indian Franchise Committee, to whose observations regarding it our attention has been directed in our terms of reference by His Majesty's Government. That Committee, for the purpose of assessing the relative ratio of urban and of rural enfranchisement, took as their criterion the classification of urban employed in the Census Report, *i.e.*, all municipalities, cantonments and other towns, with 5,000 inhabitants or over, which though they may not have obtained self-government, still possess urban characteristics differentiating them from the larger classes of purely agricultural villages.

13. On the general question of the relative representation of town and country in the new legislatures, the Committee remarked (paragraph 95) : " The actual influence which the urban vote may have on rural areas depends largely on the extent to which urban areas are included in rural constituencies ..... At the delimitation stage one of the most

important matters to be taken into consideration will be the desirability of making the representation of town and country in the legislatures proportionate to the population in each. The matter will also come up for consideration in mixed constituencies consisting partly of urban and partly of rural areas. In Bombay, for example, it would be advisable, other things being equal, to arrange constituencies so that urban areas will not have a preponderating influence in mixed constituencies, while in Madras, on the other hand, where rural voting strength is the greater, it may be found desirable to give some weightage to urban areas in the distribution of seats".

*The views of local Governments.*

14. The recommendations that we have received from local Governments show that the provinces fall, broadly speaking, into two schools. The first school proceeds on the basis of population; the second, on the inclusion in urban constituencies of all areas under municipal self-government.

At the outset of our enquiry, we were disposed to think that there would be advantage in achieving, if possible, a measure of uniformity as between the different provinces on this question of urban and rural representation. Our aim was to ensure (a) that no area should be included in urban constituencies which did not possess fairly definite urban characteristics; (b) that in any case in which a large unit with a substantial population fell to be considered for inclusion in rural constituencies, on the ground that its claim to inclusion in the urban category was doubtful, we should see that, if it was necessary to include it in a rural constituency, the urban element should not dominate the rural in that constituency.

*The criterion to be applied.*

15. The first question for consideration is the criterion to be applied in distinguishing urban from rural. As stated above, the Indian Franchise Committee, for the purpose of estimating the relative proportions of urban and rural in the electorate, took the only standard readily available without an exhaustive enquiry into this subject, viz., the standard of 5,000 adopted by the census authorities. Difficult as it may be to find a satisfactory general dividing line between urban and rural, we are entirely satisfied in the light of the close and detailed study which we have given to this matter with the various provinces concerned that such a criterion cannot be regarded as suitable. Its uniform application would result in the inclusion in the urban constituencies in many provinces of a mass of units which are little more than large villages, which possess no urban characteristics of any sort, which cannot on any reasonable construction of the word be regarded as urban, and the addition of which would overload the urban constituencies with alien elements, and might in certain provinces add very substantially to the difficulties of candidates and members in urban constituencies.

16. On the one hand, it may be urged that a population minimum of say, 10,000 is sufficiently high to ensure that no urban elements of

any importance will be included in the rural constituencies. But it has to be borne in mind that there are many towns with a population substantially in excess of that figure, which are, for practical purposes, little more than large market towns, which it is impossible effectively to differentiate from the surrounding country-side. On the other hand, in certain provinces such as Bengal, towns with a very small population such as 4,000 or 3,000 are industrialized to a high degree, and unquestionably possess those urban characteristics which render them unsuitable for inclusion in a rural constituency and which give them a very strong claim to be added to the urban category. So far as the second basis is concerned, it is obvious that to take as the criterion the form of government of a unit, while in certain provinces it may operate justly, is likely in other provinces to involve the inclusion in the urban constituencies of a substantial proportion of the population which could more suitably be included in a rural constituency; the overloading of those constituencies, and the impairing of their essentially urban character. Nevertheless, it must appear anomalous that in one province a town of 2,000 inhabitants should be included in urban constituencies, while in another province towns with a population as high as 60,000 are merged in rural areas.

*No uniform basis.*

17. The difficulties of finding a criterion of universal applicability will be manifest from the preceding paragraphs. And our investigations had not proceeded very far before it became apparent that this matter, important as it was, was one on which it would be quite impracticable to secure uniformity. Conditions in the different provinces are so dissimilar, political development is so varied and opinions are so divergent that we found it necessary to deal with each province separately, and in some cases to recommend for adoption in one province, a scheme based on principles which have been condemned in another. Nor perhaps is this surprising if it is remembered that we are dealing not with a country but with a sub-continent, not with one race, but with several different races.

*Views of different provinces.*

18. Without trenching on the more detailed examination of particular aspects of this problem in the case of individual provinces, which we propose to undertake in the course of Chapter IV of this Report, we think it may be well to illustrate our difficulty by quotations from the arguments advanced by different local Governments in dealing with the particular question of the allocation of seats as between urban and rural areas.

MADRAS.

19. The Government of Madras informed us that in that Presidency the question of urban as opposed to rural interests was not a live issue. "Madras is an agricultural and not an industrial province. There are no towns corresponding to the manufacturing towns of England. With few exceptions..... the towns in Madras would in England be known

as country or market towns, the inhabitants of which are almost all directly or indirectly interested in agriculture. It is only in the city of Madras that such characteristically urban problems as overcrowding and slums become apparent."

The local Government added that "but for the fact that certain towns already enjoyed urban representation, and that it was apparently the general assumption that under the new constitution separate provision must be made for urban areas, they would not have considered it necessary on the ground of a conflict of interests between urban and rural areas to recommend separate urban representation for any town except those which contained an appreciable industrial element in their population". The recommendations they have made to us are based on the inclusion in the urban areas of a small number of towns, in some cases grouped together, none of which has an aggregate population of less than 50,000.

### BENGAL.

20. In Bengal, on the other hand, the Government agree with their Advisory Committee that "the urban areas of Bengal should be the municipal and cantonment areas . . . . 'Urbanization', or the urban outlook, no longer implies large areas or large populations. It is much more intimately connected with the system of local government". Hence, in Bengal, it is considered desirable to include in the urban constituencies small municipalities with a population of only 2,000 or 3,000, and the local Government produced the following reasons in the circumstances of their province against a dividing line based on any given population figure.

"The position in Bengal thus is that if 5,000 population were adopted as the criterion for the standard urban area, the Government of Bengal would have to omit 12 out of 119 municipalities and replace them by 10 non-municipal towns. The exclusion of the municipalities is opposed by Government not only on the general ground of principle, but also for the reason that differentiation against the smaller areas would not only be strongly resented by them, but would in cases lead to the disenfranchisement of areas which at present enjoy the franchise, some of which are, in spite of their population, definitely urban in character.

"It is significant that not one of these small municipalities has demanded a change in its status, which under the law, such municipalities are empowered to do.

"Secondly, as regards the towns which are not municipalities, Government are of the opinion that owing to their different system of government they should not be included in urban constituencies. The number is not large, and, as already stated, there are special circumstances which account for the population in some of the cases. Were they linked up with municipalities, they would be joined with organisations the interests of which in taxation and general administration would be quite different from theirs. It has to be added that the inclusion of non-municipal

areas with municipal would also occasion a certain amount of administrative inconvenience."

"Thirdly, the Provincial Committee unanimously came to the conclusion that, whatever weightage might ultimately be adopted, the number of urban seats in the existing Council should not be reduced in the Legislative Assembly. . . . The weightage in favour of urban areas that accrues from this recommendation is inconsiderable and there can be no question that a reduction in the number of urban seats would have led to widespread dissatisfaction and resentment."

#### BOMBAY.

21. The Government of Bombay, on the other hand, wish to concentrate their urban representation in large towns. They informed us that they examined the feasibility of classifying all towns with a population of 25,000 and over as urban areas, but that they came to the conclusion that "It would be fundamentally wrong to class them as urban, as very few of them differ in their interests, outlook and characteristics in any appreciable degree from the rural areas within which they lie. There is far greater community of interest between the towns and the surrounding rural areas in each district than between towns situated in different districts. There is no conflict of interests between the towns and rural areas in a district. They are identical in respect of their problems, outlook and characteristics. It would be arbitrary to classify such towns as urban and inexpedient to separate them from the surrounding rural areas with which they are in constant contact, merely for the purpose of forming urban constituencies . . . . . Any distinction based on theoretical considerations such as population, or the enjoyment of some form of local self-government, would only be arbitrary and will not square with facts. The interests of the Presidency are predominantly rural, its rural population being 76 per cent. of the total population, and most of the urban areas which have a population of say 10,000 or over, or are municipalities, have none of the characteristics which would differentiate them from the surrounding countryside". The Government of Bombay are, therefore, of opinion that "the only correct method of classification is . . . . . to treat as urban, and form into urban constituencies, only the bigger cities which have genuinely urban characteristics, and whose problems and interests are different from or likely to conflict with those of the areas classed as rural, and to treat as rural all other urban areas, including them in the rural constituencies, but taking care . . . to ensure that voters from urban areas will not have a preponderating influence in the election of the candidates". The Bombay Government therefore confine urban constituencies to the three towns of Bombay, Poona and Ahmedabad, including all others, even those with a population of over 50,000, in rural constituencies.

#### THE UNITED PROVINCES.

22. The United Provinces would base their urban constituencies on 35 towns of 25,000 inhabitants or over, grouped in thirteen constituencies. The question has been the subject of considerable discussion locally, and



## THE PUNJAB.

23. In the Punjab, on the other hand, the local Government, with whom we have discussed this matter in great detail and on whom we strongly urged the importance of securing that only genuinely urban elements were included in the electorate, remain firmly of opinion that all towns, however scattered, with a population of 7,500 or over should be included in urban areas. They state that the "division of constituencies between urban and rural" on this basis "is not merely proposed for the purpose of electoral convenience. It represents a very definite and marked cleavage of political opinion in the province. . . . The distinction between urban and rural is not confined to any community". The question is regarded as one of vital importance, and we deal with it in detail in paragraphs 139 to 153 of our Report.

## OTHER PROVINCES.

24. The problem is of no great practical importance in the remaining provinces. In Bihar, the urban elements are inconsiderable, amounting as they do, on the classification of 5,000, to only one-twelfth of the total population, and, on the classification of 7,500 actually adopted by the local Government, to still less than this. In the Central Provinces, the same is broadly speaking true. The urban population, adopting the criterion of 10,000 which the local Government recommend, amounts to less than 10 per cent. of the total. Assam has only three towns with a population in excess of 20,000 and none of these contains a population of more than 27,000. In the North-West Frontier Province, the problem, though acute, is not on a major scale. In Orissa, the urban element is so negligible that the local Government recommend that no urban constituencies should be formed, while in Sind, where the problem is confined

to Karachi and a small nucleus of scattered towns, it has been thought necessary to include Karachi and Hyderabad City only in urban constituencies.

*Our conclusions.*

25. Faced with the difficulties which will be apparent from a comparison of the views of the different provinces—views, we may add which we found in every case to be held with the utmost insistence, and which had in some cases the unanimous support, and, in every case, the support of the majority of representative provincial opinion—we decided that the only course was to deal with each province individually, to abandon any effort at an artificial uniformity, and to confine ourselves to securing that the proposals put forward on the subject—

- (a) had the support of the decided bulk of opinion in the province concerned, whether expressed by the Government, in the Provincial Legislative Council, in the representations received from witnesses, or in the press ;
- (b) were so framed as to ensure that rural areas would not be dominated by urban elements ;
- (c) ensured that urban areas received the full representation to which they were entitled, and, in any case in which weightage was given to urban areas, that that weightage was not greater than was appropriate ;
- (d) were so modified as to eliminate from the proposals to be submitted to Parliament specific anomalies, such for instance as a proposal by the Government of Bengal that the town of Kharagpur, with a population of 58,131, and unquestionably to a large extent industrial in character, should be excluded from the urban constituencies on the ground that it did not enjoy municipal government.

It may be unfortunate that, in a matter of such importance and general interest, no greater degree of unanimity should have been possible. But we are satisfied, after the most exhaustive discussion and investigation, that it is imperative to deal with this problem under present day conditions in India on the lines which we have adopted. We are of opinion that it would be at any rate unwise for us by an arbitrary award based on theoretical considerations, which might have no relation to conditions in the provinces under consideration, to alter schemes which were generally accepted both by those on whom will fall the responsibility for their actual working, and by those who will be most closely affected in the future by their provisions. The answer then to the question "When is a town not a town?" must be "When it is so declared by the local Government with the support of popular opinion".

## CHAPTER III.—SINGLE OR MULTI-MEMBER CONSTITUENCIES.

### *Our instructions.*

26. Our terms of reference point out that this question is one which will call for consideration in connection with the delimitation of certain of the territorial constituencies. His Majesty's Government at the same time express the view that they "are disposed to think that, save where the establishment of multi-member constituencies is necessitated by the reservation of seats (as in the case of the scheduled castes and of the Mahrattas in Bombay) or for other special reasons, there would be advantage in each constituency returning a single member". They add, however, that the matter is one which our Committee will no doubt consider in the light of local conditions and of the views expressed by the various provinces concerned.

### *Previous history.*

27. The question is one which has not been found to admit of uniform treatment in all provinces under the present constitution. The Southborough Committee, whose proposals on this point were accepted by Parliament, remarked in paragraph 13 of their Report that "in view of the fact that the franchise will be extended to a large proportion of electors inexperienced in the exercise of the vote, we consider that it is necessary at present to adopt the most simple method of election. Thus, we contemplate as a general rule single member constituencies, but our detailed proposals leave a latitude to the local Governments in cases where a rigid insistence on this rule is unsuited to the local conditions, especially in the Presidencies of Madras and Bombay, where special circumstances may make it desirable to form plural member constituencies".

28. Exercising the discretion given them by the recommendations of the Southborough Committee the Governments of Bombay, to a very large extent, and Madras, in the case of general seats almost exclusively, based their existing Legislative Councils on plural member constituencies, the number of seats in those constituencies varying from two to three. The remaining provinces, without exception, adopted single member constituencies, and, at the time of the enquiries of the Indian Franchise Committee, they strongly re-affirmed their preference for this method of representation, irrespective of any advantages which may be held to accrue from the adoption of the multi-member system.

29. The Indian Franchise Committee did not examine the matter in any detail; they confined themselves to remarking that "if separate electorates are adopted for any community, the constituencies so created must be single member constituencies, as otherwise they would be quite unmanageable in size. It is also clear that if any system of reservation of seats in joint electorates is adopted it necessarily implies multi-member constituencies, as it is impossible to reserve seats for members in single-member constituencies" (paragraph 367). And by a majority they recommended that, as at present, Mahrattas in Bombay should continue

to have seats reserved for them in general non-Muhammadan constituencies (paragraph 368).

*Arguments for and against.*

30. The advantages and disadvantages of these two methods of forming constituencies are familiar. But in view of the interest which has been taken in the subject and of its importance in relation to the general scheme of delimitation for the territorial communal constituencies which we now have the honour to put forward, we may be forgiven if we briefly refer to the main arguments which can be urged for and against multi-member and single-member constituencies respectively.

31. The main argument advanced in favour of a system of multi-member constituencies is that under it minorities stand a better chance of winning a fair proportion of seats. In provinces such as Bombay, which contains several important minorities, the case for their establishment is accordingly strong. In view of the fact that several important minorities form a feature of the population of this Presidency, and that their only chance of representation lies in concentrating all their available voting power on a candidate of their own choice, it is considered most undesirable to sub-divide districts into several small constituencies, as it would divide their voting power and deprive them of all chance of representation. "It is true", the Bombay Government report, "that theoretically there is much to be said in favour of single-member constituencies, but, having regard to actual conditions, the local Government are unable to recommend the creation of such constituencies. The two-party system is not yet established in this country and voting takes place largely on personal or communal considerations. Small sections of the population can, therefore, have practically no chance of returning a representative of their choice unless more than one seat is allotted to a constituency. Even large and important sections of the population for whom special representation has not been provided, might go unrepresented if a district is sub-divided into several small electoral areas and their strength is distributed. Also, with single-member constituencies, candidates with a merely parochial outlook and of relatively inferior type are likely to be returned and though it is possible to some extent to provide against this danger by dispensing with the requirement that a candidate should actually reside within his constituency, it is very doubtful whether, in actual practice, electors would generally favour outsiders as their representatives."

32. The advocates of single-member constituencies urge on the other hand, following the argument of the Southborough Committee, that in view of the great extension of the franchise under the proposals of the Government of India Act, and the relatively large proportion of the electors who will for the first time cast a vote, it is desirable to devise the simplest system of election possible. Multi-member constituencies, even when they contain two seats only, are likely to confuse the backward or illiterate voter. In an area served by, say a four-member constituency, an individual member is unlikely to feel any special responsibility for any particular portion of the constituency, with the result that it is more

difficult for electors to secure redress for their grievances, or to voice their opinions effectively in the legislature. The limited area of the single member constituency (which *ex hypothesi* will as a general rule be approximately half the size of a dual member and one quarter the size of a four-member multiple constituency) is convenient administratively, and has the great advantage of reducing the difficulties of canvassing in the case of a candidate, and of maintaining contact with the electorate in the case of a member. Single member constituencies help the healthy development of the party system, a consummation much to be desired in the interests of future political development in India. They are less expensive and save delay, and they are better calculated to produce stable majorities. The risk that minorities may secure a less adequate representation than would be possible under a system of multi-member constituencies is admitted. But it is claimed that the other advantages of single-member constituencies are so overwhelming as to constitute a strong argument for their universal adoption except in those cases in which a multi-member constituency is necessitated by such factors as the existence of scheduled caste seats, or the reservation of seats for Mah rattas, or backward tribes.

33. The upholders of both systems unite in claiming for the system they uphold, that it reduces the chances of corruption. The advocates of single-member constituencies base themselves on the ground that corruption will more easily come to light when it is a question of a limited area and when there is one seat only to be filled. The advocates of multi-member constituencies, on the other hand, represent that, given the very much larger area, population, and voting strength, to be expected in a multi-member constituency, the chances of corruption are reduced to a minimum, because of the impracticability, save at prohibitive cost, of corrupting sufficient electors to make any material difference to the result of an election. Both claim that it will remove caste distinctions, and accelerate the development of a party system.

34. While we had before us the example of the Southborough Committee, and while we were assured that a system of plural member constituencies had, since the date of the introduction of the reforms, worked with conspicuous success in Bombay, and had been in operation without leading to any breakdown in Madras since the same date, we were nevertheless not without hope that it might be possible to achieve uniformity throughout the various Indian provinces in this matter. We regret to say that this ideal has not proved capable of achievement.

35. No difficulty, of course, arises in the case of constituencies in which seats are reserved for scheduled castes, Mah rattas, backward tribes or women. These must inevitably be plural member constituencies. As regards the general territorial constituencies in which no seat is reserved, we have to report that while in one or two cases a local Government has proposed an isolated multi-member constituency, with the exception of Bombay, every local Government and every Provincial Committee, (though in the case of Madras by a majority only), were generally in favour of the establishment, as a general rule, of single-member

constituencies. Such constituencies, they point out, have been in operation successfully since 1920, they have given satisfaction to the Provinces concerned, and the demand that they should be retained under the new constitution has the overwhelming support of political and public opinion in those Provinces. We are satisfied that this is the case and we recommend that in all Provinces save Bombay and Madras—with which we deal below—single-member constituencies should be accepted as a rule, save where a multi-member constituency is necessitated by considerations such as those referred to above ; or where for any special reason a local Government, by way of exception, proposes a multi-member constituency for a particular area.

### BOMBAY.

36. We now turn to the Presidencies of Madras and Bombay. We discussed this question exhaustively with the Government of Bombay, who, in complete agreement with their Provincial Committee, had produced a scheme of delimitation which involved the creation of multi-member constituencies wherever possible, and which advocated not merely dual member constituencies but a substantial number of constituencies containing as many as three or four seats.

37. The Government of Bombay support their recommendation in the first place on the broad general arguments to which reference is made in paragraph 31 above. They represent, secondly, that the system of multi-member constituencies is one which has worked with very great success in the Presidency of Bombay, and the retention of which is desired by so uniform a public and a political opinion that it is hardly possible to find an advocate of single-member constituencies of any standing. They lay particular stress on the importance in the life of the Presidency of minorities such as the Jews, the Parsees, and the Jain community, no representative of any of which can in their view have any hope, however great his individual importance or that of his community, of securing a seat in the future Provincial Legislative Assembly, unless multi-member constituencies are adopted. While admitting that multi-member constituencies must be larger in area than single-member constituencies, and while accepting that the size of certain of the constituencies which they recommend is very great, (thus the four-member constituency of Ahmednagar North covers 3,716 square miles and the three-member constituency of Nasik East 3,127 square miles), they expressed the considered opinion that in the conditions of the Presidency, the administrative difficulties of dealing with such constituencies can be overcome; and they inform us that the task of canvassing and of maintaining contact in such constituencies is regarded without any apprehension by gentlemen with many years of active experience under the present constitution—a statement which we may add was fully borne out by the evidence available to us.

### *Our recommendations.*

38. We are satisfied in the light of our discussions and of our investigations that the Government of Bombay do not overstate the position ; that

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### *Our recommendations.*

38. We are satisfied in the light of our discussions and of our investigations that the Government of Bombay do not overstate the position ; that



the public demand in Bombay for multi-member constituencies is really strong, and that it could be ignored only at the cost of disregarding the desires and expressed opinions of all important parties in the Presidency. We hesitate to submit a recommendation markedly in opposition to the general desires and opinions of an ancient and historic Province, more particularly when, in supporting that recommendation, the local Government are in a position to advance cogent arguments based on the peculiar position of the Presidency and on the experience of fifteen years. We have no hesitation in these circumstances in recommending that the proposals of the Government of Bombay be accepted, and that the principle of multi-member constituencies be adopted, in the case of that Presidency. Such minor alterations of detail in the composition of individual constituencies as we think it necessary to recommend, in the light of our investigations, will be dealt with in the section devoted to Bombay in Chapter IV of our Report.

### MADRAS.

39. We now turn to the case of Madras, where the problem of the type of constituency to be recommended is one of considerable difficulty, and by no means free from controversy. The decision is one which is intimately connected with the system of voting to be adopted in multi-member constituencies, a matter with which we deal in the latter part of this chapter. Subject to that reservation, we think it is possible to examine the general question without entering at this stage into the relative methods of voting systems.

Madras, under the existing constitution, has had a large proportion of reserved seats and so of multi-member constituencies. Those reserved seats were established in the interests of safeguarding the non-Brahmin community. In addition to the seats so reserved (which may be regarded as corresponding in kind to the seats which will in future be reserved for the members of the scheduled castes) they created in 1920, with the approval of Parliament, a small number of additional multi-member constituencies. In the light of experience of those constituencies during the last fifteen years, the local Government, with the support of the majority of their Provincial Committee, have recommended to us that multi-member constituencies should be abolished and replaced by single-member constituencies, except where they are necessitated by the reservation of seats for scheduled castes. With their recommendation they have, however, communicated to us the closely reasoned argument of an important minority in the Provincial Committee, which contains amongst others one former Chief Minister, in support of the establishment of multi-member general constituencies, accompanied, however by a distributive system of voting.

40. The arguments of the minority are based essentially on the desirability of securing adequate and reasonable treatment for minorities in the Presidency. The minorities which they have in view are not, it appears, minorities such as those envisaged by the Government of Bombay—Jews, Parsees, Jains—but minorities within the Hindu fold. Caste

feeling, as is well known, has at all times been a marked feature in Madras, and the advocates of multi-member constituencies urge that "organised political parties on the British model do not as yet exist in this country, and we cannot now visualise the course of events in regard to their evolution. But at the present time communal strife and communal feeling are so great, not only among the main castes but also among the sub-castes that they cannot be ignored. This undesirable state of things would be further emphasised by the creation of single-member constituencies. However regrettable, they have to be recognised for the present as a working factor in the elections. A Kamma for a Kamma; a Kapu for a Kapu; a Vellala for a Vellala; a Brahmin for a Brahmin; a Nadar for a Nadar; a Mudaliar for a Mudaliar; a Kavandar for a Kavandar—these and other slogans have come into vogue during the past ten years and it is difficult to see when they will disappear. We are eagerly looking forward to the day when these religious and class antagonisms will be eliminated from the political life of the country. In these circumstances, the creation of single-member constituencies in a country consisting of different races, castes, sub-castes, and different shades of political opinion, and different political parties with different political and social programmes, is an unsuitable method of securing a proper representation of minority opinion, and of the various shades of political opinion in the legislature. Single-member constituencies would perpetuate the domination of the main caste or sub-caste in each electoral area, and the minority opinion will never have a chance of being represented in the legislature. As pointed out in the Government memorandum 'the minorities stand a poor chance of representation. In areas where one caste predominates, all the seats in that area are likely to be captured by the caste'. This is a very vital consideration in deciding whether the single-member system should in the present circumstances, be adopted in this Presidency."

41. Faced in ordinary circumstances with the unanimous recommendation of a local Government and with the recommendation of the majority of a representative and weighty Provincial Delimitation Committee, we should have felt the greatest hesitation in putting forward a solution different from that advocated by them, save in the presence of quite exceptional circumstances. In the case of Madras, however, we are satisfied that these special circumstances exist. While it is true that multi-member constituencies were advocated only by a minority, (though admittedly an important minority) in the Provincial Committee, the debates in the Provincial Legislative Council which is formed on a broader basis and which is the representative political mouthpiece of the Presidency at the present stage, revealed a very strong current of opinion in favour of multi-member constituencies. Their adoption was further insistently advocated by some of the most important and representative organs of the Press in Madras, and the enquiries we made convinced us that, on this question, the general sense of public opinion was not represented by the view advocated by the majority of the Provincial Committee.

42. Before reaching our conclusion, we again discussed the matter in great detail with the local Government. They remained of their

previous opinion; and we found that a consideration of dominating importance with them was the production of a strong party government, and that they regarded it as of more importance to produce a majority of such a character as to guarantee a stable government, and to avoid changes of government which could not but enure to the disadvantage of the harmonious working of the new constitution in its earlier years, than to produce a scheme which would ensure beyond dispute that every minority, however small, should have some hope of securing representation. The local Government were not satisfied, apart from this, that there was any case for affording special protection to minorities within Hinduism. In their view, all that was necessary in the way of protection for minorities was that afforded by those provisions of the Government of India Act which reserved seats for women, for the scheduled castes, for the representatives of the backward areas and tribes, and for labour.

#### *Our recommendations.*

43. We fully admit the force of the arguments advanced by the local Government. But we are of opinion that given the intensity, the bitterness, and the importance of inter-caste strife in Madras, there is, at any rate under present conditions, a strong case for taking steps to remove it. We are satisfied, apart from this, that, despite the opposition of the Government and of the majority of the Delimitation Committee, the current of public opinion in the Presidency which demands multi-member constituencies is too strong lightly to be ignored. On a consideration of the problem as a whole, and with the fullest appreciation of the objections to rejecting the considered opinion of a local Government on a matter such as this, we have therefore decided to recommend the creation of a certain number of multi-member general constituencies in Madras in addition to those proposed to us by the local Government and to those necessitated by the reservation of seats for the scheduled castes. But we are of opinion that, save where a seat is reserved for the scheduled castes, in no case should the constituencies in question contain more than two seats, and on this basis we are satisfied that no administrative difficulty of any consequence will occur in holding the elections. We have been furnished with an alternative scheme on the lines to which we have referred above by the local Government, whose willing co-operation, even in opposition to their considered opinion, we gratefully appreciate. Our recommendations in the case of Madras are accordingly based on the alternative scheme of multi-member constituencies prepared by the local Government in response to our request.

#### *Methods of voting.*

44. Although we have not hitherto referred to this question save cursorily, it is one of decisive importance as affecting, in the case both of Madras and Bombay, the question whether constituencies shall be multi-member or single-member, and, familiar as the subject is, we feel justified in examining the various systems, in some little detail, before we record our recommendation as to the method of voting which should be

adopted in the multi-member territorial constituencies which we recommend.

The three main alternative methods of voting (excluding the system of the single transferable vote which we cannot regard as suitable for adoption in present day conditions in India) are—

- (a) the single non-transferable vote,
- (b) the distributive vote, free or compulsory,
- (c) the cumulative vote.

*The single non-transferable vote.*

45. Under this system, a voter has one vote only which he can cast for any of the candidates who seek his suffrage, but he can of course cast it in favour of one candidate only. The case for the general adoption of the single non-transferable vote, on the ground that it was only in this way that minorities could feel any confidence that they would receive an adequate degree of representation, was very strongly urged on us in a memorandum communicated to us by the Proportional Representation Society. We communicated copies of that memorandum to all local Governments, and drew their attention to the arguments contained in it. The matter has since been thoroughly canvassed in the press, and in every province, in which multi-member constituencies are proposed, we have discussed the matter with the Provincial Committee and the local Government and have ascertained their views.

46. We think it well to deal with the question of the single non-transferable vote first as affecting the constituencies in which seats are reserved for the scheduled castes, and secondly as affecting the ordinary multi-member constituencies whether seats are reserved in those constituencies or not.

The Poona Pact lays down that the voting at primary elections for the scheduled castes shall be by means of the single non-transferable vote, and the question for decision is whether the same system should, as recommended by the Proportional Representation Society, be adopted in the case of final elections in these constituencies. We have given most careful consideration to this question, which is of great importance as affecting the working of the Poona Pact. As a result, however, we have reached the unhesitating conclusion that, whatever the merits of the single non-transferable vote as an electoral device, and however convenient it may be for administrative purposes, its adoption at final elections, in constituencies in which seats are reserved for the scheduled castes, would be contrary to the spirit of the Poona Pact. We give our detailed reasons in Chapter V. We may add, that the objections of principle which we see to the adoption of this method of voting in the case of the scheduled caste constituencies, are shared by representative members alike of the caste Hindus and of the scheduled castes.

47. In the case of the ordinary multi-member constituencies, we have, on the other hand, found a certain degree of support for the single non-transferable vote, and Madras and Bihar in particular are in favour

of its adoption. It is of course the simplest form of voting and one well suited to an illiterate electorate. It also saves an immense amount of time in counting. It is possible, moreover, to use it without inconvenience in the case of certain of the constituencies set aside for representatives of special interests. We have, in these circumstances, recommended its adoption in a certain number of cases, the details of which will be found under the sections allotted to the various provinces in Chapter IV of our Report. But beyond this we found ourselves, in the light of our discussions with Provincial Committees and provincial Governments, unable to go.

*The distributive vote.*

48. Under the distributive system of voting, the elector has as many votes as there are seats, but can give one vote only to any one candidate. We found that considerable interest was taken in certain provinces in the question of the distributive vote, and that there was a not unimportant degree of support for its employment in cases in which seats were reserved in a multi-member constituency.

It was advocated in its compulsory form in connection with constituencies containing reserved seats, where, so it was suggested, the voter might be given different coloured ballot papers to ensure a division of his two votes between the scheduled caste and the caste Hindu candidate. So far, however, as the scheduled caste constituencies are concerned, we are of opinion that the distributive vote is open to much the same criticism as the single non-transferable vote, and to the risk in practice that the compulsory assignment of the votes would in effect emphasise the separate character of the representation accorded. We admit that it is not perhaps of decisive importance, and that it may well be argued that when there is a multiplicity of scheduled caste candidates, a member of the scheduled castes would distribute his votes between those scheduled caste candidates according to his preference. Alternatively, it is possible that he might distribute his votes between the caste Hindu candidates, if more than one in number. These are possibilities. But we do not regard it as probable that there will be a multiplicity of scheduled caste candidates, save possibly in Bengal. We feel that votes will as a rule, given Indian conditions and the past history of this question, be divided according to the caste of the elector between the caste Hindu and the scheduled caste candidate, and we regret that, in these circumstances, we are unable to recommend the adoption of the system for scheduled caste constituencies.

49. As regards the other multi-member constituencies, we are not in favour of the adoption of the distributive vote, and we are of opinion that any advantages it may have are more than outweighed by the very definite advantages which we see in the adoption of the cumulative system of voting in multi-member constituencies.

*The cumulative vote.*

50. Under this system, the elector has as many votes as there are seats, but may plump them all for one candidate, or distribute them over

two or more candidates as he may desire. This is the existing system in Bombay, and it is certainly much simpler administratively than the distributive system which is in force in Madras. In addition, it gives the elector the utmost liberty. His freedom is unfettered. This is entirely denied him in the single non-transferable vote, and only partially allowed by the distributive vote.

51. We may add that the cumulative system of voting cannot be regarded as contrary to the Poona Pact, and that its use in elections in constituencies in which one seat is reserved for the scheduled castes has the support of representative leaders of those castes.

52. We found, in the course of our investigations, that the question of the method of voting was of fundamental importance as affecting the decision whether there should or should not be multi-member constituencies alike in Bombay and in Madras. In Bombay, which has had fifteen years' experience of this system, and where it has worked, as far as can be judged, exceedingly satisfactorily, public and political opinion was strongly in favour of the retention of the cumulative system of voting. The Government of Bombay in the course of their discussions with us went indeed so far as to say that, unless the cumulative system of voting was adopted, they saw no real advantage in multi-member constituencies.

That the matter is of equal importance as affecting those multi-member constituencies, the establishment of which we recommend in the future Madras Provincial Legislative Assembly, may be gauged from the fact that an important witness appeared before us as a strong advocate of the retention in the case of Madras of single-member constituencies, except where multi-member constituencies were required for the scheduled castes. This gentleman had been a member of the Provincial Committee and had formed part of the majority of that Committee which submitted a recommendation in favour of single-member constituencies. His objection was not directed so much against multi-member constituencies as such, in the conditions of Madras, as to multi-member constituencies with the distributive system of voting, such as had been recommended by the minority of the Madras Provincial Delimitation Committee. He intimated that if the cumulative system of voting was substituted for the distributive system of voting, his objection to multi-member constituencies fell to the ground. Another influential member of the Committee, who had pressed for multi-member constituencies with the distributive system of voting, finally expressed before us his acceptance of the cumulative system in such constituencies.

#### *Our recommendation.*

53. We recommend, in these circumstances, after the most careful consideration, that, save in the circumstances referred to later in this paragraph, the cumulative system of voting should be adopted in all multi-member territorial constituencies, whether they contain a seat reserved for members of the scheduled castes or not. It is arguable that it is more complicated than the system of the single non-transferable vote, and that in the interests of simplicity there is much to be urged in

favour of that system. But the objections which we see to the single non-transferable vote, where there is any question of seats reserved for the scheduled castes, and which are, in our opinion, decisive, have been set out above. We do not in the light of the very strong support given to the cumulative system of voting by the Government of Bombay, with their long experience of it, consider that the risk of confusion is a real one, or that the administrative difficulties involved in its adoption are really serious. It is in these circumstances that we submit our recommendation, that, save where a local Government strongly urges that the single non-transferable vote should be employed in the case of an individual multi-member constituency in which no seat is reserved, the cumulative method of voting should be generally adopted in multi-member territorial constituencies. In Orissa we have, for example, made an exception in the Berhampur constituency, where there is no seat reserved for the scheduled castes, and where the intention is to protect the Telegu minority. Similarly in the Singhbhum, and backward tribal constituencies in Bihar, we agree that the single non-transferable vote might be used with advantage.

## CHAPTER IV.—THE TERRITORIAL CONSTITUENCIES.

54. A question of fundamental importance in connection with delimitation is, of course, the delimitation of the territorial communal constituencies allotted to the general, the Muhammadan, and the Sikh population. On the satisfactory delimitation of these constituencies, and the proper balancing of interests, whether general or local, in framing proposals for them, must inevitably depend the smooth and satisfactory working of the new constitution. We have, in these circumstances, examined with particular care the proposals for the delimitation of these constituencies submitted to us by the different provinces.

*Scope of present chapter.*

55. In the earlier chapters of our Report, we have discussed the general principles which have guided us in dealing with the question of the relative representation of urban and rural interests, and the question whether the territorial communal constituencies in the future Provincial Legislative Assemblies should be multi-member or single-member. We propose in the present chapter to confine ourselves to an examination in some detail, in the case of each province, of the general basis on which the proposals of that province are framed, to a detailed examination of those proposals as affecting the question of urban and rural representation, and to a brief statement of the more important representations made to us in respect of individual constituencies, and of our recommendations with regard to them.

*Large measure of agreement in provinces as to general delimitation.*

56. We wish in the first place to say that our task has been greatly facilitated by the fact that in almost every province we found a very large measure of agreement between all parties as to the delimitation of the great bulk of the territorial constituencies. In every province, however, we have been faced with the necessity of examining numerous representations in regard to the delimitation of individual constituencies, and in every province except Assam or Orissa, (in which the question does not arise), we have found it necessary to scrutinise in detail the proposals submitted to us for the relative representation of urban and rural areas. Save in the case of Madras, there has rarely, if ever, been any important point of detail (as distinct from the general principle which is discussed in Chapter III of our Report) in connection with the question whether constituencies should be single-member or multi-member; and the degree of unanimity as to the relative advantages of one or the other method of framing constituencies has invariably been so marked that we have found no difficulty in reaching a decision upon it. The matter of voting in such constituencies as are ~~reserved for the scheduled castes~~ or, in two provinces, for the backward classes, has been dealt with in Chapter III of our Report.



*Constituencies reserved for special interests and women to be dealt with separately.*

57. With the general principles governing the allocation of the seats assigned to representatives of special interests and of women in the Provincial Legislative Assemblies, and, in so far as this may be necessary, with the qualifications to be prescribed for electors and candidates in those constituencies, we propose to deal in detail in separate chapters of our Report, in which we shall set out not merely the principles in question, but the detailed proposals of the various local Governments in respect of each of the special interests concerned and our recommendations regarding them. Such references as appear in the present chapter to the constituencies allotted to representatives of special interests (including women and the scheduled castes) are therefore of a cursory nature.

*The general basis of our proposals.*

58. Before turning to a detailed examination of the proposals of individual Governments, we may remark that we have endeavoured so far as possible to base our proposals on recognised administrative units, whether the *tahsil*, the *thana*, the *talug*, the district, or the division; and that we have adopted the principle that it is undesirable in any case to reduce the number of seats assigned to urban areas, or to a special interest, below the number so assigned in the existing Legislative Councils. Broadly speaking, we have as a rule taken population as the general basis of our proposals. But we have not failed to take into account such special conditions as area, voting strength, and the difficulty of communications, where we regarded the case for giving weight to those considerations as justified by the special circumstances of any individual case.

We now turn to a detailed analysis of the proposals of the various local Governments.

## I.—MADRAS.

59. *Statistics.*

Area (excluding the totally excluded areas and the portions to be transferred to Orissa (17,197 sq. miles))	..	..	..	126,663 sq. miles.
Number of districts (including Madras City)	..	..	..	25
Number of divisions†	..	..	..	91
Population—				
Total population—[excluding totally excluded areas (16,010) and portions to be transferred to Orissa (2,510,377)]	..	..	..	41,183,690
Hindus (including scheduled castes)	..	..	..	39,083,312
Scheduled castes	..	..	..	6,911,747
Muhammadans	..	..	..	3,299,204
Indian Christians	..	..	..	1,703,791
European	..	..	..	12,311
Anglo-Indian.	..	..	..	28,630

† These units in Madras correspond to the *taluk* or the *thana* in other provinces.

*Preparatory work by the local Government.*

60. The proposals of the local Government are based on a long period of preparatory work. A statement showing the points of detail affecting delimitation which had been left for further consideration in the White Paper was published in the Press in May 1933. In May 1935 the local Government appointed a Delimitation Committee with a non-official chairman. Of the fourteen members of the Committee two only, (one being the secretary), were officials. The Committee, which was instructed to make recommendations for the delimitation of the territorial and special interest constituencies in the Presidency, established a series of sub-committees, consisting of women, Muhammadans, Indian Christians, members of the scheduled castes, representatives of labour, and representatives of land holders, to examine in detail and report to the main Committee on the special problems relating to their subject. The Committee, which took into consideration provisional proposals framed by the local Government, together with the representations which had till then been received from individuals or public bodies regarding the formation of constituencies, signed its report on the 11th August. That report, with the observations of the local Government, was then published in the Press, with a statement that the views expressed by the Government were tentative and liable to reconsideration in the light of any further criticisms which they might receive. Numerous representations were subsequently received from individuals or public bodies, and were considered by the Committee, which also heard supplementary oral evidence in respect of a number of subjects, a second report being published on the 5th October. Finally, the reports of the Committee and the views expressed on them by the local Government were debated in the Provincial Legislative Council on 31st October, 1st November and 2nd November 1935.

*Proposals of the local Government.*

61. There will be 215 seats in the future Provincial Legislative Assembly in Madras. Of these, 146 are general seats (30 of this number being reserved for the scheduled castes), 28 are allotted to representatives of the Muhammadan community, two to Anglo-Indians, three to Europeans, eight to Indian Christians and one to representatives of backward areas and tribes. The remaining seats are allotted to representatives of special interests. They include eight seats (six general, one Muhammadan and one Indian Christian) assigned to representatives of women.

62. The proposals submitted to us by the local Government are based, broadly speaking, on the inclusion in urban constituencies of those towns only which in their view possess indisputable urban characteristics, a total of sixteen in all. The remaining towns, irrespective of their size, will be included in the rural constituencies. On the basis of population urban areas would be entitled, on the ratio of the population of all municipalities to the total population, to some fifteen seats out of the 182 allotted to the general, Muhammadan, and Indian Christian communities (excluding women). In the interests of securing a reasonable balance of urban and rural representation it is in fact proposed to allot fifteen general and two Muhammadan seats to urban constituencies, in addition to five of the eight seats assigned to representatives of women. The local Government further recommend that, save where multi-member constituencies are necessitated by the reservation of seats for the scheduled castes, or by the impracticability of conveniently dividing a large revenue division, the territorial constituencies in the Presidency should be single member. The scheduled caste constituencies have been allotted, under their proposals, to those areas in which their population is largest. The average area and population of the general and Muhammadan constituencies under the present constitution and the proposals of the local Government as finally amended in the light of discussion with us are as follows :—

	General.		Muhammadan.	
	Existing	Proposed.	Existing.	Proposed.
Area (Sq. miles.)	2,031	1,093	2,154	615
Population ..	586,930	301,674	814,820	242,168

NOTE.—The ratio of urban to rural seats will be approximately 1 to 10·7, while the ratio of urban population to rural population, on the basis of the census figure, will be 1 to 12.

*Proposed representation of urban areas.*

63. The effect of the proposals submitted to us by the local Government was to set aside (in addition to two of the general seats reserved

for women, the seat assigned to Muhammadan women, and the seat reserved for Indian Christian women) fifteen general and two Muhammadan seats out of a total of 182 for the representation of urban areas. Of the fifteen general seats, five under their proposals fell to Madras, one of this number being reserved for the representation of the scheduled castes. The remaining ten were set aside for the representation of urban general interests in the remainder of the Presidency. One Muhammadan seat was assigned to Madras City, and the other to selected urban areas in Malabar.

64. The question of the basis on which the ten general seats were to be allotted had formed the subject of very considerable preliminary discussion both in the Provincial Committee and in the local Government. There was general agreement, both in the Government and in the Committee, that, in the special circumstances of Madras, there could be no justification for including in urban constituencies any units, except those which contained a substantial population and possessed marked urban characteristics. Proceeding on this assumption, the Provincial Committee in the first place put forward alternative schemes. One of these schemes contemplated the formation of urban constituencies on the basis of the selection of ten single towns. The alternative scheme favoured the grouping, in the ten urban seats available, of all the municipalities in the province in groups of districts, a procedure adopted in Bengal and in the Punjab. The number of municipalities so to be grouped varied from five to twelve, the average being approximately eight.

65. The local Government found themselves unable to support the alternative proposal which provided for the grouping of municipalities. In the first place, they held that, as compared with some other provinces, there is little or no conflict of interest between the towns and the rural areas adjoining them. Madras is pre-eminently an agricultural province, and rural ideas prevail even in the towns, as in market towns in England. Secondly, they believe that there is a real danger that the combination of large and small towns would result in an electorate composed of units which had little if anything in common, which were geographically and historically separate, and which would find the greatest difficulty in returning a member who could satisfactorily represent all portions of his constituency. Such an arrangement, they contend, would place the candidate in the invidious position of having to meet the possibly divergent claims of different towns. In these circumstances they adopted a modified version of the first scheme which had been put forward by the Provincial Committee, and recommended that an urban constituency should be based on not more than two towns of substantial size in the same district. It was this recommendation, modified in certain respects, which was put forward to our Committee on its arrival in Madras.

#### *Discussion of the local Government's scheme.*

66. On a close examination of these proposals, we were unable at first sight to regard them as wholly satisfactory. While fully appreciating the reasons which led the local Government to favour the

selection of areas which were decisively urban in character as the basis of their urban constituencies, we felt considerable difficulty in accepting as satisfactory without further explanation a scheme under which a number of units with a population running into thousands (and in one case a population of no less than 61,000) would be cast into rural constituencies. The objections which we saw were two fold. In the first place, we found it, on the face of it, extremely difficult to feel confident that units with so large a population did not possess urban characteristics such as would justify their inclusion in urban constituencies. Secondly, it seemed to us at least equally open to question whether the effect of throwing these large and relatively compact units of population into rural constituencies would not result in the domination of those constituencies by the urban element. After further consideration, it seemed to us, however, that it should be not impossible to devise a modified scheme which would meet the wishes of the local Government and our criticisms of it. The general effect of that scheme would be to gather into ten groups all the municipalities in the province with a population of over 25,000. The groups would be formed so far as possible by a combination of certain districts, which the Provincial Delimitation Committee, with their local knowledge of the conditions of Madras, had originally recommended as being suitable to form the basis of such a combination. In these circumstances, we explained to the local Government the difficulties we felt, and we invited them, failing a resolution of those difficulties, to consider either the alternative scheme which we had put forward, or some modification of their original proposal, so as to bring it into closer harmony with the broad principles indicated in our terms of reference.

67. The local Government, to whose readiness to assist us in this matter we desire to pay the fullest tribute, found themselves, however, unable, as a result of further discussion with our Committee, to recommend any material modification in their original proposals. Broadly speaking, their attitude was that there was no question of urban and rural in Madras; and that had they had a free hand, they would have recommended the abolition of urban constituencies altogether, and (with the possible exception of Madras City) would have divided the whole of the area of the Presidency into territorial constituencies in which no distinction would be made between urban and rural. They urged very strongly that while at first sight the proposals which they had put forward might appear unsatisfactory, when viewed from the standpoint of Parliament or of critics unfamiliar with Madras, still that criticism, based essentially on British parliamentary conditions, and so ultimately on electoral and economic conditions in Great Britain, could not reasonably be regarded as necessarily valid in the very different conditions of the Madras Presidency; that their proposals (and we are bound to admit that the evidence at our disposal entirely supports their suggestion) had been universally accepted in that Presidency; and that, therefore, having regard to all the circumstances, to the very full explanations which had been furnished by the local Government as to the special conditions to meet which their proposals had been framed, and to the impossibility of devising any equally satisfactory alternative scheme

for the representation of urban and rural interests, or for the basis on which the urban and rural constituencies should be constituted, those proposals should be accepted.

68. The alternative scheme which we had tentatively put forward was not, in their view, calculated to meet the case. That alternative involved either the grouping of districts, or the combination of towns within the same district. The local Government thought that either of these courses was open to objection. Inter-district jealousy was very keen. It was indeed much keener than any rivalry between urban and rural. Jealousy between towns in the same district was equally keen. When the towns to be grouped were approximately of the same size, that jealousy might be accentuated, and when the grouping proposed involved the combination of one large town with two or three smaller ones, the smaller towns would undoubtedly feel that they were likely to be dominated by the larger town, and would regard any proposal which would have this effect with much resentment. There would be less chance of friction if, as proposed by the local Government, the various towns were included in separate constituencies with the surrounding rural areas. The local Government informed us, finally, that in so far as our doubts arose from the risk that rural constituencies might be dominated by urban elements, they were entirely satisfied that none of the towns which have not been selected for inclusion in the urban constituencies is likely to dominate a rural constituency into which it may now be thrown, and they supported their view by a detailed analysis of voting strength in the constituencies in question.

#### *Our recommendations.*

69. We have carefully considered the proposals of the Government of Madras in the light of the very full supplementary information and explanations given by the local Government. As regards the general basis of their scheme, we will not deny that, despite the full and carefully argued case advanced by them, we are not wholly satisfied even now that our first objections to their proposals are entirely without foundation. We find it difficult for example, to believe that a town so large as Conjeevaram, with a population of 61,000, is either lacking in the main characteristics of an urban area, or is unlikely to influence to a material degree the rural constituency into which it may be cast. We cannot, on the other hand, but be impressed by the undoubted acquiescence (indeed the support) accorded by public opinion, in the province, so far as it is in any way vocal, to the local Government's proposals. We did not receive a single protest either against the exclusion of a town from the urban constituencies or against its inclusion in any rural area. The proposals of the Government are approved by the Provincial Legislative Council, and by the representative Provincial Delimitation Committee, and they are still maintained by the Government, after being subjected to close criticism on the part of our Committee, and after a very lengthy and thorough discussion. The weightage, moreover, given to urban areas under their scheme

is not in our view excessive, even if the three women's constituencies to be located in urban areas are taken into account : it represents a ratio of 1 : 7½ as against a ratio between urban and total population of 1 : 6.

70. The local Government, finally, in addition to certain other alterations which we regard as improvements, have so rearranged their women's seats (as explained in paragraph 546 of our Report) as to increase by one the number of those seats assigned to urban areas, and to secure that, if only by means of these seats, certain areas of a semi-urban character, which, under their proposals, have been excluded from the urban constituencies shall receive a degree of urban representation.

71. Despite the doubts which we entertain as to the entire suitability in all respects of the arrangements proposed by the local Government, we feel that the matter is not perhaps one of sufficient importance to justify a radical alteration by us of a scheme which, in the opinion of those who will have to work it, and of those whose parliamentary representation it must vitally affect for a number of years to come, seems in fact likely to be well suited to the particular conditions of the province. In these circumstances, we recommend for acceptance the local Government's proposals with the modifications to which we have referred above. The effect of these proposals will be to allot one urban seat to each of the following towns or groups of towns :—

	Population.	No. of seats.
Vizagapatam .. .. .	51,299	1
Cocanada .. .. .	60,918	1
Masulipatam-Bhezwada .. .. .	95,961	1
Guntur-Tenali .. .. .	73,661	1
Madras City .. .. .	523,077	5
Tanjore-Kumbakonam .. .. .	112,733	1
Madurai .. .. .	158,731	1
Tinnevely-Palamcottah .. .. .	79,012	1
Coimbatore .. .. .	80,241	1
Salem .. .. .	91,271	1
Trichinopoly-Srirangam .. .. .	127,621	1

72. In addition one Muhammadan seat will be assigned to Madras City, the Muhammadan population of which is 70,031, and one to the municipalities of Calicut, Cannanore, and Tellicherry, on the West coast of the province, with a Muhammadan population of 60,728; the three general women's seats will, as explained in chapter VI of our Report, be assigned respectively to the urban areas of Madras City, Ellore, and Tellicherry cum Calicut; one Muhammadan woman's seat will be assigned to Madras City; and the seat reserved for an Indian Christian woman will be allotted to the municipalities of Tinnevely, Palamcottah, and Tuticorin.

*Representations in connection with individual constituencies.*

73. We have received and considered in consultation with the local Government, and in the light of the evidence tendered to us, a number of representations suggesting modifications of varying degrees of importance in the territorial constituencies recommended by the local Government. We are satisfied as a result of our examination of those representations that in no case have the claims advanced been substantiated, and we would refer in particular to the representations we received regarding the allocation of seats to the Muhammadans of the West Coast.

We may mention that we invited the local Government to consider further whether it would not be desirable to revise the composition of two of the Muhammadan rural seats, so as to allot one seat to Chittoor *cum* Chingleput, and one seat to South Arcot, in substitution for their present proposal to allot one seat to Chittoor and one to Chingleput *cum* South Arcot. The local Government inform us, however, that Chittoor, with a larger Muhammadan population than South Arcot, has a better claim to be formed into an independent constituency; that the population of Chittoor is predominantly Telugu, and that of Chingleput and South Arcot predominantly Tamil; and that they are in these circumstances of opinion that the distribution which they recommend results in a more homogeneous constituency than would result from the adoption of the alternative suggestion under discussion. We accept their view.

We have in the circumstances no recommendation to make for a revision of the boundaries of the individual constituencies proposed by the local Government and the Provincial Committee.



## II. BOMBAY.

## 24. Districts.

Area .. .. .	71,221 sq. m.
Number of Taluquas .. .. .	5
Number of Districts .. .. .	19
Population ..	
Total population .. .. .	1,102,175
Hindus (including Mahahrattas and allied castes) .. .. .	1,000,000
Mahahrattas and allied castes .. .. .	1,000,000
Scheduled castes .. .. .	1,000,000
Muslims .. .. .	1,000,000
Indians (other than .. .. .)	200,000
Europeans .. .. .	1,000
Anglo-Indians .. .. .	1,000

*Distribution of the seats in the future Assembly.*

75. The future Bombay Provincial Legislative Assembly will contain 175 seats, 114 of these are general, fifteen of that number being reserved for the scheduled caste, and seven for Mahahrattas; 29 are Muhammadan, two Anglo-Indian, three European and three Indian Christian; while one is reserved for a representative of backward areas and tribes. In addition five general seats and one Muhammadan seat are reserved for women. The balance of seventeen is allotted to various special interests.

*Preparatory work by the local Government.*

76. In April 1933, the local Government set up a committee, composed of the Commissioners of Divisions, to make such provisional preliminary investigations as were possible with regard to the delimitation of constituencies for the future Provincial Legislative Assembly on the basis of the proposals in the White Paper. The result of the investigations of the Commissioners, with the preliminary observations thereon of the local Government, was referred in June 1935 to a special Provincial Delimitation Committee. The Committee, which was under the chairmanship of a High Court Judge, consisted, with one exception, of non-officials who were members of the Provincial Legislative Council. The Committee co-opted representatives of women, labour and commerce. A summary of its recommendations for the future Provincial Legislative Assembly was published in the Press at the beginning of August for public criticism, together with the provisional views of the local Government. The recommendations themselves were discussed in the

‡ Exclusive of the Mahahrattas and allied castes of the Ahmedabad, Broach and Panch Mahals, Kaira and Surat Districts, and also of the Kurubs of the Belgaum, Bijapur, Dharwar and Kanara Districts.

Bombay Legislative Council on the 23rd and 24th September, thirty-eight members taking part in the debates. A supplementary report, embodying, the recommendations of the Committee on certain further representations received from the public, was submitted to the local Government on the 1st October, and a second supplementary report on the 12th October. We are informed that the proposals submitted to us by the local Government are based on a full consideration of the recommendations of the Provincial Committee, of the views expressed in the debate in the Council, and of the very numerous representations which have been received from the general public and copies of which have been communicated to us.

*Proposals of the local Government.*

77. The proposals of the local Government are based on the adoption, wherever possible, of multi-member constituencies with a cumulative system of voting. For the purpose of the distribution of seats between urban and rural, they have considered as urban and formed into urban constituencies "only the bigger cities which have genuinely urban characteristics and whose problems and interests are different from or likely to conflict with those of the areas classed as rural". But they have taken care to ensure that, in those cases in which urban areas are included in rural constituencies, the constituencies shall be so arranged that voters from urban areas will not have a preponderating influence in the election of candidates. The towns which have been selected as the basis of their urban general constituencies contain in no case a population of less than 108,000. Of the Muhammadan urban seats, five are allotted to Bombay City, and one to Ahmedabad City with a population of 75,606. Leaving out of account the seats allotted to women, the local Government propose that there should be twelve general and five Muhammadan urban seats. If the women's seats are taken into account and if the Anglo-Indian, European, and Indian Christian seats are also included, the total number of urban seats will be 26. All towns other than those included in the urban constituencies, have been merged into rural constituencies, to which 132 seats have been allotted. The ratio of urban to rural voters (on the basis of the admittedly incomplete provisional rolls which have been prepared) will under the proposals of the local Government, be 473,619 : 1,590,983, as compared to the present ratio of 257,294 : 492,372. The average area, population and voting strength of the general and Muhammadan seats in the existing Bombay Legislative Council and the future Bombay Legislative Assembly are as follows :—

	Area.		Population.		Voting strength.	
	Present.	Proposed.	Present.	Proposed.	Present.	Proposed.
General ..	2,340 sq. miles.	764 sq. miles.	444,300	145,167	13,331	14,414
Muhammadan	8,580 sq. miles.	3,218 sq. miles.	144,085	54,032	5,488	5,115

We are informed that the constituencies, the area of some of which is considerable, will be manageable by a candidate without undue expense or physical strain, that one day will suffice for polling them, and that no difficulty should arise as regards the maintenance of contact by members.

#### BASIS FOR URBAN AND RURAL REPRESENTATION RECOMMENDED BY THE LOCAL GOVERNMENT.

78. As stated in paragraph 77 above, the broad principle adopted by the local Government is to concentrate urban representation in a limited number of large towns which have indisputably urban characteristics, all other towns being included in the rural constituencies. Under their proposals, 132 out of 158 territorial seats (including those assigned to women) will be allotted to rural constituencies (104 general, 24 Muhammadan, one European, one Anglo-Indian and two Indian Christian) and 26 will be urban (sixteen general, six Muhammadan, two European, one Anglo-Indian and one Indian Christian). The urban seats will thus be 17 per cent. of the total, and the rural 83 per cent. Out of a total of 75 elected seats in general constituencies in the existing Legislative Council, 17, or 23 per cent., are urban, and 58, or 77 per cent., are rural. The urban population of the Presidency at the present time is stated to be 24 per cent., 13 per cent. of which is, however, made up of the population of small towns which, under the local Government's proposals, will be included in the rural constituencies. If the population of the large urban areas which they propose to include in urban constituencies is alone taken into account, it is 11 per cent. of the total population of the Presidency and receives 17 per cent. of the seats. In other words, on the basis of the local Government's proposals, urban interests receive a definite weightage in terms of seats.

#### *Questions for consideration.*

79. The questions for consideration are, in the first place, the general suitability of the basis adopted by the local Government, and secondly the appropriateness of the degree of weightage which they recommend for urban interests.

#### *Suitability of the basis proposed.*

80. As regards the first of these points, we would invite attention to the discussion of this question in Chapter II of our Report. We are ourselves disposed to see much advantage in a division of urban from rural representation on the lines proposed by the local Government. Such a division ensures that the urban constituencies are not over-loaded with small and scattered urban elements, insufficiently important in themselves to exercise any decisive influence, and yet sufficiently numerous to involve some risk that the representative of an urban constituency will not be in a position to speak with a decisive voice on such matters affecting urban interests as may arise in discussion in the legislatures. It is, however, clearly of particular importance, if a basis is to be adopted such as that now under consideration, to ensure that it does not result in the inclusion in the rural constituencies of urban elements so substantial that they

will dominate those constituencies, and equally to ensure that no unit of such a character as to give it a valid claim to inclusion in the urban constituencies has been omitted from those constituencies.

*Our recommendations.*

81. We have examined these questions very closely with the local Government, and have discussed individually with them the position of a series of towns, the population of which appeared at first sight to be such as to merit their inclusion in urban areas or to risk their exercising a dominating influence in rural constituencies if they are excluded from the urban category. The most important of these towns is Hubli, which has a population so large as 89,982. Among other important towns are Dharwar (41,671), Satara (26,378), Nasik (48,703) and Jalgaon (34,375). The local Government admit that Hubli is in the nature of a border line case, though they describe it as being a collection of some eleven hamlets; but, in agreement with their Delimitation Committee, they do not consider, despite its size, that it is sufficiently large, or so markedly industrial as to justify its conclusion in an urban constituency. In every other case which we put to them, the local Government expressed the view that, large as might be the population of the towns to which reference was made, they were essentially large market towns, the outlook of which is wholly agricultural, which are closely connected with the surrounding countryside, which themselves prefer to be included in the rural category, and to the inclusion of which the rural areas raise no objection. The local Government were unanimously of opinion that there was no risk that any of the towns would dominate the rural constituencies, and they were equally definitely of opinion that the urban element will hardly exercise any influence in such constituencies. The views expressed by the local Government are fully supported by the Provincial Committee, and so far as we can judge, have almost unanimous support in the provincial Legislative Council and in the Presidency itself. In the circumstances, we recommend their proposals for acceptance.

*The weightage proposed for urban areas.*

82. The next question is that of the weightage proposed to be given to urban areas. From the figures quoted in paragraph 78 above, it will be seen that under the proposals of the local Government they receive a definite weightage. We have received strong representations in favour of the grant of some additional weightage to Bombay City. Those representations urged that Bombay, under the present constitution, receives six general seats (one of which is reserved) out of a total of 43 (seven of which are reserved), that the proposals of the local Government involved the allocation to it of nine general seats only (of which three will be reserved), and that the general effect is, in a very much larger House, to allot only one more unreserved seat to Bombay. It was urged that on considerations of population, of voting strength, and of the commercial, industrial, and educational importance of Bombay, there is a strong case for a further addition, and the claim has been made in one representation that no fewer

than three more general seats, one of which it was suggested might be taken from Ahmedabad City and two from the Central Division, should be allotted to Bombay.

*Additional weightage recommended for Bombay City.*

83. This is a question of much importance, and we have closely investigated it in consultation with the local Government and the Provincial Committee. We are of opinion, as a result, that there is a case for some additional weightage for Bombay City. We have explained in paragraph 249 and paragraphs 303 to 305 of our Report the circumstances in which we recommend the redistribution of the seats allotted to women and the scheduled castes, which will result in the assignment to Bombay City of one additional women's seat and one additional scheduled caste seat. With these additions, we are of opinion that the legitimate claims of Bombay City will be adequately safeguarded. The relatively small additional weightage to urban interests which is involved in the acceptance of our recommendations is not in our view in any way excessive.

*Representations in respect of individual constituencies.*

84. We have received a large number of suggestions in regard to the modification of the boundaries of individual constituencies or the redistribution of individual seats. We have examined these, and in certain cases, where we thought that a *prima facie* case had been established, we have asked for the assistance of the local Government to enable us to reach a conclusion. The only points which, in the light of our investigations, appeared to us to call for detailed discussion in our Report are :

- (a) the claims of the Northern Division to a larger number of seats ;
- (b) the claims of Surat and Rander to a Muhammadan urban seat ; and
- (c) the possibility of combining certain districts into dual-member constituencies for the purpose of Muhammadan representation.

We deal with these questions *seriatim*

*(a) The claims of the Northern Division.*

85. On a population basis, it appears that the Northern Division of the Bombay Presidency is entitled to 28 seats, and the Central Division to 49, as against 27 and 50 seats, respectively, allotted to them under the proposals of the local Government. Thus Poona City in the Central Division, which is entitled to 1·4 seats on a basis of population, has been allotted 2 ; while Kaira District in the Northern Division, which is entitled on population to 4·89 seats, has been allotted four seats. We suggested to the local Government that in these circumstances one seat should be transferred from Poona to Kaira.

86. The local Government, while admitting that on a population basis the Northern Division would be entitled to one more seat, urged strongly, however, that their scheme was a carefully balanced scheme in which it would be impossible to make even minor alterations at this

stage without recasting its whole basis ; that Poona, as the second capital of the Presidency and an important cultural centre, can reasonably claim the slight weightage accorded to it under their proposals ; that the advantage which the Central Division at present enjoys, will disappear, consequent on the transfer of one women's seat from Satara South to Bombay City ; and that if considerations of population are to carry decisive weight, the Southern Division has a still stronger claim to further representation than the Northern Division. We are impressed by the arguments advanced by the local Government, and in the light of them, we are of opinion that the general distribution originally recommended by them should stand.

*(b) Claims of Surat and Rander to a Muhammadan urban seat.*

87. The original proposals of the Bombay Provincial Delimitation Committee recommended the allocation of one Muhammadan urban seat to Surat and Rander cities with a population of 36,306. The same proposals envisaged the allocation of one seat to Belgaum district rural, which has a population of 93,224. The final proposals of the local Government as submitted to us allotted two seats to Belgaum, the second seat being that which the Provincial Committee had proposed to assign to Surat and Rander, those cities thus being deprived of representation.

88. The local Government, whom we asked for a report on this question, inform us that the average population quota for a Muhammadan seat is 53,413 ; that in no circumstances could Surat and Rander with their population of 36,306 establish a claim to an entire seat ; and that the allotment to them of a seat would provoke legitimate claims from other areas of a similar size. As regards the choice of Belgaum as the district to receive the seat removed from Surat and Rander, the local Government state that the Belgaum district was selected because the original proposals of the Provincial Delimitation Committee accorded insufficient representation to the Muhammadans of the Southern Division. They add that in so far as their action may be regarded as open to criticism on the ground that an urban seat is transferred to a rural district, it is relevant that the district of Belgaum includes the important town of Belgaum, and that it is not unlikely that ordinarily a candidate from the urban area will be returned by the rural constituency.

We have carefully considered the local Government's views. But having regard to the high voting strength of Surat-Rander (8,711 as compared with 6,216 in the Belgaum district), to the very strong representations we have received, to the industrial importance of these towns, and to the fact that under the present constitution Surat shares an urban seat with Ahmedabad, we recommend that the original proposal of the Provincial Committee should be accepted, and that one Muhammadan urban seat should be allotted to Surat-Rander, the Belgaum district receiving one Muhammadan rural seat only.

*(c) Possibility of combining certain districts.*

89. In the light of representations received by us, we suggested to the local Government that, on the ground that it was suggested that

*Not correct for Maharashtra.*

"Maharatta", which will cover the Allied Castes on the lines of the definition of "Maharatta" in the present Bombay Electoral Rules.

## III.—BENGAL.

93. *Statistics.*

Area (excluding totally excluded areas) .. .. .	72,514 sq. miles.
Number of divisions .. .. .	5
Number of districts (including the City of Calcutta) ..	27
Population—	
Total population .. .. .	50,114,002
Hindus (including scheduled castes) .. .. .	21,570,407
Scheduled castes .. .. .	9,124,925
Muhammadans .. .. .	27,497,624
Tribal .. .. .	528,037
Buddhists .. .. .	316,031
Indian Christians .. .. .	129,134
European and allied races (British subjects) .. ..	20,895
Anglo-Indians .. .. .	27,573

*Distribution of seats in the future Assembly.*

94. Of the 250 seats in the future Provincial Legislative Assembly in Bengal, 78, of which thirty are reserved for the scheduled castes, are general, 117 are Muhammadan, three Anglo-Indian, eleven European and two Indian Christian. In addition, five seats (two general, two Muhammadan and one Anglo-Indian) are reserved for representatives of women. The remaining 34 seats are assigned to representatives of various special interests.

*Preparatory steps taken by the local Government.*

95. A Provincial Advisory Committee to advise on the distribution of seats under the reformed constitution was appointed by the Government of Bengal so long ago as October 1932. Its Chairman was at the time of his appointment Minister in charge of Education. Of its sixteen members all save three were non-officials: and of these non-officials, all except one were members of the Legislative Council. The work of the first session of the Committee was completed at the end of March 1934. The Committee at that stage made provisional recommendations for the delimitation of constituencies for both the Federal and the provincial legislatures on the basis of the allocation of seats embodied in the communal decision, as altered by the Poona Pact and as incorporated in the White Paper. The second session of the Committee did not begin until after the passing of the Government of India Act, 1935. In that session, further proposals for the delimitation of constituencies, which had been framed by the local Government, and which had been released in a tentative form for public criticism on 17th July 1935, were examined by the Committee in the light of the representations received from the public. The proposals in question formed the subject, in August 1935, of a debate





by the local Government. We agree, in the light of the explanations given to us by them, that it is unnecessary to press for the inclusion in the urban category of non-municipal towns such as Saidpur, Feni and Kulti. The first of these is a small railway settlement: the second is wholly agricultural, and refused recently to be declared a municipality; and Kulti is a self-contained industrial settlement. But we were unable to see any justification for excluding Kharagpur, which is the fifth largest town in Bengal, from the urban category, merely on the ground that it is not a municipality, and, on further consideration, the local Government now propose to include it in an urban constituency.

*(b) Weightage proposed for urban areas.*

105. On the assumption, then, that the general basis proposed by the local Government for the representation of urban and rural interests may be regarded as satisfactory, the next question for consideration is the degree of weightage which they propose to give to urban areas. As will be seen from the figures in paragraph 97 above, that weightage is under the present constitution exceedingly heavy, and the proposals of the local Government admittedly involve a very substantial reduction in it. It appeared to us to be for consideration, however, whether even now a weightage which, without taking into account the women's special constituencies, is so heavy as 41 per cent. in the case of the general seats, and 43 per cent. in the case of the Muhammadan seats, was not too great; and whether the grant to Calcutta, which contains only one-third of the general urban population, of one-half of the general urban seats, was not excessive.

*Proposals of the local Government.*

106. Under the existing constitution, there are eleven general urban seats and six Muhammadan urban seats. Six of the general urban seats are assigned to Calcutta. On a basis of strict equality between urban and rural representation, the quota of urban seats for the general population should be reduced from its present figure of eleven to nine, and that for the Muhammadan seats from its present figure of six to four. The local Government, however, with the full support of their Provincial Delimitation Committee and, in their own words, of the "responsible opinion of all communities in Bengal", see the strongest objection to any reduction of the number of urban seats in the future Assembly below their number in the present Legislative Council; and the proposals first provisionally accepted by them, which were based on exhaustive examination by the Provincial Committee, accordingly proceeded on the basis of the retention of the existing figures of eleven and six respectively, without any increase in those numbers proportionate to the increase in the size of the House. In the light of the very strong expressions of opinion received in favour of some increase in the number of general urban seats, they subsequently reached the conclusion that the legitimate demands of the urban areas could be satisfied, without unduly prejudicing the position of the rural areas, if the number of general urban seats was increased by one, and if six out of the resultant total of twelve were allotted to Calcutta, this being the number at present enjoyed by that city.

*Our recommendations.**(i) The Muhammadan urban seats.*

107. We are of opinion, on a review of the situation as a whole, that the weightage proposed to be allotted to urban areas under the local Government's scheme is not excessive. There is no special difficulty about the number of seats to be allotted to Muhammadan urban interests, though a small section of Muhammadan opinion seems disposed to favour a slight reduction in its number, and we accept the local Government's view that the allocation they recommend has stood the test of public criticism, and that six seats is the minimum which will give adequate representation to the somewhat scattered municipalities which, in the circumstances referred to in paragraph 96 above, have been selected as the basis of representation in the case of urban Muhammadans throughout the province.

*(ii) The general urban seats.*

108. As regards the general seats, we recognise that the proposal of the local Government involves the assignment to urban general interests of three seats more than they would be entitled to receive if the criterion were population. But, as we have indicated elsewhere, we accept the principle that it is undesirable to reduce the number of urban seats in any province below that in the existing Legislative Council. On this assumption, the number of general urban seats in Bengal must be fixed at a minimum of eleven, and all that there is in dispute is whether there is a case for the addition of one more seat. Having regard to the great importance, political and commercial, of Calcutta, to the dominating position of the Hindu community in that city, to the fact that it is, to quote the local Government, "the centre of Hindu learning, of Hindu institutions, of Hindu social life and political activity", and to the very strong expressions of public opinion in the province in favour of some further increase in the representation to be accorded to general urban interests, we are of opinion that the local Government are right in proposing that the number of general urban seats should be fixed at twelve, and that six of that number should, as at present, be assigned to Calcutta, and we recommend their proposal, for which, so far as we are able to judge, there is a very substantial degree of public support, for acceptance.

*(c) Representation of the scheduled castes in urban constituencies.*

109. We were not satisfied at first sight that there was adequate justification for confining the scheduled caste constituencies to rural areas, as recommended by the Provincial Delimitation Committee and by the local Government. We are, however, informed (and the oral evidence tendered to us bore this out) that the scheduled castes themselves would prefer that all their seats should be assigned to rural areas, since they regard it as probable that they will be able to exercise a greater influence in elections in those areas than in urban areas. The inhabitants of the urban areas, on the other hand, would prefer that the

relatively small degree of representation afforded to urban general interests should not be further reduced by the necessity of reserving seats for the scheduled castes. In these circumstances, we accept the local Government's recommendation that the scheduled caste constituencies should be exclusively assigned to rural areas.

*Questions in connection with individual constituencies.*

110. On a point of detail, we drew the attention of the local Government to the fact that their proposal for a general urban constituency to cover the Rajshahi and Chittagong divisions was open to the objection that those two divisions were separated by a large tract of country, and that, even allowing for facilities of communication, this was likely to present difficulties from the point of view alike of canvassing and maintaining contact. The local Government have revised their proposals to meet this criticism.

111. In the case of Serampore, the local Government's proposals involve the splitting of a sub-division; and we suggested to them that it might be possible to combine the two general constituencies proposed for Hooghly under their scheme, and so to unite the divided parts of the Serampore sub-division in a single three-member constituency, in which one seat would be reserved for the scheduled castes. The local Government inform us, however, that, apart from their reluctance to create multi-member constituencies where this can in any way be avoided, serious difficulties of communication, which would make the task alike of canvassing and of maintaining contact with the constituency a heavy one, would be likely to arise in the event of our proposal being accepted, and, in the circumstances, we did not pursue it.

112. On a further point, we refer in Chapter V. of our Report to the representations which we received regarding the transfer from South to North Bakarganj of a scheduled caste seat, a proposal for which we have satisfied ourselves that there is not adequate justification. We have also carefully examined, in consultation with the local Government, a suggestion, for which there appeared to be strong local support, that Pabna and Bogra, which, under their proposals, form a single two-member constituency in which one seat was reserved for the scheduled castes, should be separated, one seat being allotted to Pabna and one to Bogra. But, we are satisfied as a result of our investigations that, on considerations both of population and area, the original proposal of the local Government is preferable and we recommend that it should stand. We found that it would be most difficult in fact to deprive any other area of its seat in the interest of Pabna and Bogra.

*Our recommendations.*

113. In all other respects, we are satisfied that the detailed proposals of the local Government for the delimitation of the territorial communal constituencies are carefully thought out and well calculated to meet the case; and, while in several cases the constituencies cover a large area, we understand that no serious difficulty is to be anticipated either in canvassing or in maintaining contact with them.

## IV.—THE UNITED PROVINCES.

114. *Statistics.*

Area .. .. .	106,248 square miles.
Number of divisions .. .. .	10
Number of districts .. .. .	48
Population—	
Total .. .. .	48,408,763
Hindus (including scheduled castes) .. .. .	40,905,586
Scheduled castes .. .. .	12,591,525
Muhammadans .. .. .	7,181,927
Europeans .. .. .	22,043
Anglo-Indians .. .. .	11,263
Indian Christians .. .. .	170,216

115. *Distribution of seats.*

Total.	General (including S. C.).		Sched- uled castes.		Muhammadan.		Anglo-Indian.	European.	Indian Christian.	Special interests.
	Urban.	Rural.	Urban.	Rural.	Urban.	Rural.				
Present *100	8	52	..	..	4	25	..	1	..	10
Proposed 228	13	127	4	16	13	51	1	2	2	13
	Women. 1	Women. 3	..	..	Women. 1	Women. 1	..	..	..	..

\* Directly elected.

*Preparatory work done by the local Government.*

116. The United Provinces Government began the preparation of a preliminary scheme of constituencies so far back as the beginning of 1933. The scheme in question was based on the allocation of seats in the Provincial Lower House set out in the Communal Award as modified by the Poona Pact. During 1934, the matter was further discussed with the Commissioners of divisions and District Officers, who were invited to express an opinion on the suitability of the tentative and provisional proposals of the local Government for the constituencies in the areas under their jurisdiction. Those provisional proposals were revised or modified in the light of the views expressed by the officials who had been consulted. In June 1935, the local Government established an Advisory Conference to examine and advise on their proposals. The conference was composed of leaders of parties in the Legis-

lative Council, representatives of the different parts of the provinces and persons qualified to speak on behalf of minorities, women and special interests. Of the thirty-three members of the Conference, two were Ministers, two were members of the Government, and the remaining twenty-nine were non-official representatives drawn principally from the provincial Council. The local Government's proposals for the future Legislative Assembly were published for criticism at the beginning of August 1935. Their proposals for the Provincial Upper House and the Federal Legislature were similarly published on 1st October 1935. A large number of criticisms or suggestions were received from the public. These were duly considered by the local Government and by the Advisory Conference, and a full statement, embodying the original proposals of the Government, the views expressed by the Conference upon them, and upon the representations of the public, and the decisions of the Government as to the recommendations to be made to our Committee, was published in the press before our arrival. The proposals of the local Government were not discussed in the provincial legislature, but, as will be seen from the preceding statement, they received a wide measure of publicity. In reaching our conclusions we have had the advantage of considering, not merely the representations addressed to the local Government and the Provincial Conference, but a very large number of supplementary representations on various points which were addressed direct to us by individuals and bodies in the United Provinces.

### *Proposals of the local Government.*

117. The scheme put forward by the local Government for the future provincial Legislative Assembly is based on single-member constituencies. The administrative units on which the constituencies are based are the district and the *tahsil*, though in one or two instances, for local reasons, it has been necessary to divide districts or *tahsils* between two constituencies. In framing constituencies, the local Government have taken into consideration not merely population and voting strength, but also such factors as area, communications, the convenience of voters and candidates, and the adequate representation in each division of urban and rural interests. Under the present constitution the urban constituencies consist of eight towns with a population of 50,000 and over. The local Government's proposals for urban representation in the future Assembly are based on the grouping in urban constituencies of the 35 towns in the province which have a population in excess of 25,000. Towns with a population below this figure will be included in the rural constituencies. The local Government propose (in addition to two of the seats reserved for women and four of the seats reserved for the scheduled castes) to allot thirteen general and thirteen Muhammadan seats to urban constituencies, out of a total respectively of 140 and 64. The ratio of urban to rural voters on this basis will be approximately 1 to 7.7 as compared with 1 to 10.2 in the existing Legislative Council, the voting strength of towns with a population of 25,000 and over being 567,000, while that of the rural constituencies is 4,348,555. The ratio of urban to rural population on the basis of the census criterion is about 1 : 9.

The average number of voters per seat will be 18,950 in urban constituencies and 27,522 in rural constituencies. Of the six seats allotted to women, two (one general and one Muhammadan) will be assigned to urban, and four (three general and one Muhammadan) to rural, constituencies. The seats allotted to the scheduled castes are assigned to those areas in which the scheduled caste population is the largest. Four of them are allotted to urban and sixteen to rural areas. We are assured that the constituencies proposed are such that they can be canvassed, without great difficulty and that a member can maintain contact with them without undue physical strain or expense.

#### URBAN AND RURAL REPRESENTATION.

118. The two main questions for consideration are :—

- (a) the basis adopted by the local Government for the representation of urban and rural interests; and
- (b) the extent to which their proposals afford reasonable representation to urban and rural interests respectively.

##### *(a) The basis of urban representation.*

119. The principles on which the local Government have based their proposals are firstly that urban representation should be given to those areas only which are truly urban in character. It would be misleading, in their view, to include in urban constituencies small towns or large villages, many of which are market or supply towns for the surrounding districts and serve mainly rural interests, even though they may have "been granted some form of municipal or local Government for the purpose of more efficient local administration. The prosperity of these towns or villages depends on the agriculture of the neighbourhood and many of the inhabitants derive their livelihood directly from the soil". In the second place they regard it as essential in framing constituencies to pay close attention to administrative manageability. They see strong objection on administrative grounds to urban constituencies consisting of a large number of small and scattered units, and they favour the composition of constituencies consisting at the outside of two or three towns, which can easily be canvassed, with which contact can be maintained without difficulty, and which will form workable constituencies the polling of which will be administratively practicable. Finally, they regard it as important to consider so far as is reasonably possible in the framing of the constituencies the convenience and the pockets of candidates for election, and to avoid causing insuperable difficulties to candidates and members.

##### *Views of local Government.*

120. The local Government, basing themselves on the principles set out in the preceding paragraph, are of opinion that the criterion of urban adopted by the Indian Franchise Committee, viz., the census figure of 5,000, is unsuitable. Its acceptance would, in the United Provinces, result in the inclusion in urban constituencies of a large number of villages or purely rural areas, and a scheme of urban representation based upon it would in their view expose the electoral machinery to a very great strain if not to a risk of entire collapse. After a careful

analysis of the various possibilities, they have reached the conclusion that "bearing in mind the necessity of giving fair representation to genuine urban interests, the smooth conduct of elections and the convenience of candidates . . . . . the most suitable method of framing urban constituencies and one which would best satisfy the administrative conditions of the province, and the principles endorsed by the Joint Parliamentary Committee, is to select for urban representation all towns in the province above a minimum population which they would fix at 25,000. There are 35 such towns and they can suitably be grouped into constituencies". The effect of adopting this basis is to exclude the headquarter towns of certain districts and to deprive certain districts of any urban representation. The Provincial Advisory Conference, by a majority of votes, therefore recommended that all headquarter towns which are municipalities should be included in the urban constituencies, a proposal which the local Government reject on the grounds that the inclusion of headquarter towns merely because they are headquarter towns would be contrary to the principle that urban representation is intended to represent strictly urban interests, that the inhabitants of such towns have a better chance of representation by remaining in the rural electorate, and that the proposal for inclusion is illogical and based on no clearly defined principle.

#### *Our recommendations.*

121. The local Government have examined this question with great care and thoroughness. The principles on which they propose to base their urban constituencies are, in our opinion, sound, and, subject to minor modifications of detail, we accept as generally suitable the arrangement which they propose. That arrangement has the merit of including in urban constituencies those units only which possess definitely urban characteristics; the constituencies under it will be such as to present no marked administrative difficulties from the point of view of polling, and they will be compact and easily manageable by a candidate or by a member. The number of towns with a population of less than 25,000 which, under the local Government's proposals, will fall to be included in rural constituencies, is admittedly substantial; there are 74 towns with a population between 10,000 and 25,000, and there are 132 towns with a population between 5,000 and 10,000. But we are satisfied that their exclusion from the urban constituencies is justified on an application of the principles on which the local Government have based their proposals, and that they may be regarded as essentially rural in character; and we are assured moreover by the local Government that there is no risk of any rural constituency being dominated by urban interests as the result of the acceptance of their proposals. After careful examination, we regard those proposals as reasonable, and we recommend them for acceptance.

#### *(b) Distribution of seats between urban and rural interests.*

122. The final proposals of the local Government are that thirteen general and thirteen Muhammadan seats should be allotted to urban

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constituencies. In addition, four urban seats will be allotted to the scheduled castes and one general and one Muhammadan urban seat to representatives of women.

The question of fundamental importance is of course the number of urban territorial seats to be allotted to general and Muhammadan interests, respectively. The local Government have considered the possibility of basing the number of urban seats on the proportion of urban voters to rural voters in the present Legislative Council; on the proportion of the urban to the rural population of the province; on the grant of a weightage to urban areas on the ground of their superior education and enlightenment; and finally on the allocation of a number of seats which, while giving suitable representation to the urban interests of the province will at the same time involve no undue disproportion between urban and rural representation. After a very careful analysis and comparison of the result of accepting these different bases they recommend that the urban seats should be fixed at a number which would give suitable representation to genuine urban interests, without involving any undue disproportion between urban and rural representation. That number they would fix at 26 seats, thirteen of which would be general and thirteen Muhammadan, as compared with a total of twelve seats (eight general and four Muhammadan) in the existing Legislative Council. This, in the view of the local Government, represents a reasonable compromise, having regard to the comparative size of the population and of the electorate which each seat will represent, and it gives an adequate weight to the greater relative strength of Muhammadan urban interests and the relatively larger size of the Muhammadan urban population in the province. In the discussions in the Provincial Advisory Conference, some divergence of view on this matter was at first apparent; suggestions being made on the one hand that the number of seats to be allotted to urban areas was too high, and on the other hand that it was too low. The Conference, however, finally agreed almost unanimously that the local Government's proposal should be accepted, and while we have received certain representations to the effect that greater weightage ought to be given to urban areas, we are of opinion that that proposal represents a reasonable compromise, that it has general support in the United Provinces, and that the weightage accorded under it to urban areas is not excessive. We accordingly recommend it for acceptance.

*Points in connection with individual constituencies.*

123. The main points which call for consideration in this connection are :

- (a) the claims of the Allahabad, Lucknow and Fyzabad divisions to additional general seats;
- (b) the adequacy of the representation proposed for Oudh;
- (c) the number of general seats to be given to the Kumaon Division;

- (d) the question of the re-arrangement of the general rural constituencies in the Etah district; and
- (e) the composition of certain Muhammadan urban constituencies.

(a) *The claims of the Allahabad, Lucknow and Fyzabad Divisions.*

124. The local Government, in the light of the views expressed by the Provincial Advisory Conference and by the public, have modified their original proposals in various respects with the object of meeting specific complaints arising out of the distribution of seats between the different divisions and districts. The most important outstanding point is the relative claims to representation of the Meerut, Agra and Rohilkhand divisions on the one hand, and of the Allahabad, Lucknow and Fyzabad divisions on the other. It is unnecessary to enter in great detail into this question; suffice it to say that a closer analysis of the figures of population and estimated voting strength, has satisfied the local Government that the Meerut, Agra and Rohilkhand divisions would under their original proposals secure more representation than can be justified by their population and voting strength, and that the other three divisions would receive less than they could legitimately claim. We accept the conclusions of the local Government, and, in agreement with them, we recommend that one general seat each be taken from the Meerut, the Agra and the Rohilkhand divisions; and that the three seats which thus become available should be allotted respectively to the Allahabad, Lucknow, and Fyzabad divisions.

(b) *The relative claims to representation of the provinces of Oudh and Agra.*

125. Oudh contains twelve districts, with a population of 12,791,979 and an estimated voting strength, urban and rural, of 1,426,684. Agra contains thirty-six districts, with a population of 35,613,784, and an estimated voting strength of 3,411,562. Including the seats set aside for women and the scheduled castes, the original proposals of the local Government allotted 35 general and 16 Muhammadan seats to Oudh, and 110 general and 49 Muhammadan seats to Agra. We have received strong representations that the number of seats allotted to Oudh under the local Government proposals is unduly low; and we have examined the matter closely in consultation with the local Government.

126. From the figures given in the preceding paragraph it will be seen that the distribution of seats proposed by the local Government is in exact proportion to the number of districts in the two provinces: but that the average population of an Oudh seat is 250,882 as compared with 224,011 in the case of Agra, and the average voting strength of an Oudh seat 27,974, as compared with 21,475 in the case of Agra. It seems clear from these figures that Oudh under the original proposals of the local Government is at a disadvantage, and we agree that steps should be taken to remedy this. But the reallocation of seats recommended in paragraph 124 above will result in the assignment of two additional general rural seats to Oudh, and, after discussion with the local Government, we are of opinion that, with this readjustment, the legitimate claims of the province of Oudh

will have been met. When the alteration in question has been made, the twelve districts of Oudh, which, under the existing constitution, receive 21·3 per cent. of the total strength of the Council, 21·6 per cent. of the general, and 18·9 per cent. of the Muhammadan seats, will receive 25·2 per cent. of the total strength of the Assembly, 25 per cent. of the general seats, 23·4 per cent. of the Muhammadan seats, 30 per cent. of the scheduled caste seats, and 33·5 per cent. of the women's seats; and we are satisfied that Oudh, with the modification referred to above, has received the maximum representation which is consistent with the grant to the remaining divisions in the United Provinces of the representation to which they are legitimately entitled.

(c) *Representation to be given to the Kumaon Division.*

127. The Kumaon division comprises the districts of Naini Tal, Almora and Garhwal. In the present Council, one general seat is assigned to each of these districts, while the division as a whole shares one Muhammadan seat with the district of Pilibhit. Under the local Government's proposals each district will receive one general rural seat; the districts of Almora and Naini Tal, with the addition of a *tahsil* of the Bareilly district, will form one Muhammadan constituency; the Garhwal district with the addition of two *tahsils* from the Bijnor district will form a second Muhammadan constituency; and one constituency will be allotted to the scheduled castes in the Almora district.

128. No serious difficulty arises in respect either of the Muhammadan seats or of the representation proposed for the district of Naini Tal. But we are not satisfied that the proposals of the local Government in regard to the general rural seats allotted to Almora and Garhwal are adequate. The two seats in question have respectively a population of 580,144 and of 529,313. The numbers of non-Muhammadan voters are respectively 105,098 and 115,399, while the scheduled caste vote is also substantial. The position is aggravated by the fact that the actual voting strength of the Kumaon division is, we understand, likely, as the result of the differential franchise prescribed for it under the Government of India Act, to be even greater than that shown on the provisional rolls. Under the local Government's proposals no other general rural constituency in the province has a voting strength in excess of 65,000. There are two constituencies only the voting strength of which is between 60,000 and 65,000, and six only the voting strength of which is between 50,000 and 60,000. So far as area is concerned, the areas of the two constituencies now under consideration are respectively 5,389 and 5,612 square miles, or double the size of any general rural constituency in the province.

129. We felt that it was difficult to remain satisfied with constituencies the area and the number of voters in which were so disproportionately great; we asked the local Government in these circumstances to consider the possibility of finding two additional general rural seats for the Kumaon division; and we made certain suggestions as to the method by which the additional seats could be found. The local Government now inform us that so far as area is concerned, while the total area of the Garhwal and Almora districts is undoubtedly very large, the northern half of both

districts consists mainly of uninhabited and largely unexplored mountain ranges, and that the resident population there (as distinct from migratory traders who pay annual visits to Tibet) is insignificant. As regards voting strength, they agree that the proportion of voters to population in Kumaon is far higher than in any other part of the province, though they urge that this is due to the operation of the differential franchise for the hill districts embodied in the Government of India Act. They accept the position as regards population, and, on a review of the situation as a whole, they express the opinion that there is a case for one additional seat. This they propose to find by reducing by one the number of seats to be assigned to the Jaunpur district. They would allot the seat thus made available to Garhwal. They are however of opinion that the case for allotting a second general seat to Almora is not decisive; and, even were this not the case, they urge that it is impossible to find a second general seat, whether unreserved or reserved for the scheduled castes, without injustice to another district.

130. We have carefully considered the matter in the light of the views expressed by the local Government. We accept the proposed additional seat for Garhwal, and we agree that it should be taken from the Jaunpur district. We are by no means satisfied that the district of Almora should not likewise receive an additional general seat, to which we feel that considerations of population and voting strength give it a strong claim. But in the light of discussion with the local Government, and in view particularly of the great difficulty of finding an additional seat which could be assigned to Almora, we are prepared, though with some hesitation, to accept their view.

(d) *Etah general constituencies.*

131. We received representations to the effect that the constituencies proposed by the local Government for the Etah district are unsatisfactory, on the ground that they involved the combination of certain *tahsils* which had little if anything in common, and that a rearrangement which would remove the difficulties otherwise anticipated in canvassing and maintaining contact, and would result in a closer relation between the population, voting strength and the area of the constituencies in question, would present no serious difficulty. The local Government have been good enough to consider this matter further, and have favoured us with revised proposals which appear to us satisfactory. Under the proposals in question, one seat will be allotted to Muttra district East-cum-Etah district West, one seat to Etah district North and one seat to Etah district South. The area and the population of the three constituencies will be very approximately the same, and, save in the case of Etah district South, the voting strength will also be approximately equal. We regard the rearrangement proposed by the local Government suitable, and we recommend it for acceptance.

(e) *Re-arrangement of certain Muhammadan urban constituencies.*

132. The local Government originally recommended to us that two of the Muhammadan urban constituencies should be composed

respectively of the cities of Agra and Muttra, and of the cities of Aligarh, Hathras, Farukhabad and Etawah. We have received strong representations to the effect that these seats should be re-constituted, and that a more suitable distribution would be Agra-Farukhabad-Etawah and Aligarh-Hathras-Muttra, the dominant consideration being the desirability of giving Aligarh, as a centre of Muhammadan culture, a decisive position in the constituencies in question. After consultation with the local Government, and with their concurrence, we recommend that the constituencies should be re-arranged as suggested.

*Miscellaneous Representations.*

133. We have received a number of supplementary representations on various points in connection with individual constituencies which we have examined with the assistance of the local Government. But we are of opinion that in no instance has a case been established for a modification of the local Government's proposals, and we therefore recommend those proposals with the alterations referred to above for acceptance.

## V.—THE PUNJAB.

134. *Statistics.*

Area (excluding the excluded areas and the transfrontier tracts of Biloch with Spiti and Lahaul—7,281 square miles) .. .. 91,919 sq. miles.

Number of divisions	..	..	..	..	5
Number of districts	..	..	..	..	29
Total Population (including 29,642 in excluded areas)					23,551,210
Hindus (including scheduled castes)	..	..	..	..	6,328,415
Scheduled castes	..	..	..	..	1,440,750
(Hindu Castes	..	..	..	..	1,041,443
Ad-Dharmis	..	..	..	..	399,307)
Jains	..	..	..	..	35,284
Buddhists	..	..	..	..	5,723
Muhammadans	..	..	..	..	13,302,991
Sikhs	..	..	..	..	3,064,144
Anglo-Indians	..	..	..	..	2,995
Europeans	..	..	..	..	19,106
Indian Christians	..	..	..	..	392,144

*Distribution of seats.*

135. The following table compares the distribution of territorial seats in the present Legislative Council with that proposed for the new Legislative Assembly.

	Legislative Council.			Legislative Assembly.		
	Urban.	Rural.	Total.	Urban.	Rural.	Total.
Muhammadan ..	5	27	32	9	75	84
General .. ..	7	13	20	8	26	34
Sikh .. ..	1	11	12	2	29	31
Total ..	13	51	64	19	130	149

*Urban and rural representation.*

136. The existing ratio of urban to rural seats, based on the classification of a population of 10,000 as urban, is 1 : 4·2, urban voters being 143,186 and rural 600,683. The proposed allotment, based on classifying a population of 7,500 as urban, is 1 : 6·5, urban voters being 344,847 and rural

2,238,791. The table given in the preceding paragraph excludes the special women's constituencies, but includes in the 26 rural general seats, eight reserved for scheduled castes.

137. The Provincial Franchise Committee met on the 15th March 1933, when the scheme provisionally adopted by the local Government was placed before it. There had previously been a debate in the Legislative Council. The Committee, which held eleven meetings, in the main concurred with the decisions arrived at by the Government, and unanimously accepted, as the line of division between urban and rural electoral areas, any place with a population of 7,500. The constituencies thus arranged were published in the press for public criticism, and the replies received were examined by the Government. Criticism was mainly directed against the inclusion of certain municipalities, notified areas and "Small Towns", i.e., units governed by the Small Towns Act. There was, especially among the Hindus, a strong minority who advocated the restriction of urban constituencies to the large towns like Lahore and Amritsar, and delimitation on the lines followed in the Bombay Presidency.

138. The same arguments were repeated in the various representations and the oral evidence which we received. The difference between this province and others is that, whereas in most of the other provinces there was little or no protest against the division into urban and rural, in the Punjab the question is the subject of keen controversy. It therefore needed detailed examination, as the result of which we obtained the following appreciation of the case.

139. The division of the constituencies into urban and rural is not merely proposed for the purpose of electoral convenience. It represents a very definite and marked cleavage of political opinion in the province. Since the Reforms of 1921 there have been two main parties in the Legislative Council, viz., the Punjab National Unionist Party and the National Reform Party. The first has represented rural interests: the second has represented urban interests, and where these interests have come into conflict, the parties have, generally speaking, taken opposite views. Where there is a conflict between agricultural and non-agricultural interests, the parties represent different views, but the cleavage to some extent goes beyond this division. For instance, sharp divisions of opinion have been, and are still, manifest on the following questions:—

- (1) The distribution of taxation between urban and rural.
- (2) The allocation of Government revenues to urban and rural purposes respectively.
- (3) The system of education.
- (4) The distribution of Government posts between urban and rural candidates.
- (5) The relief of indebtedness.
- (6) The composition of the Cabinet, in which are included Ministers and Members.

140. The distinction between rural and urban is not confined to any community. It is least marked in the case of Muhammadans, but during the last few years it has tended to become more marked among them. Among Hindus it finds its strongest form as between statutory and non-statutory agriculturists, and it is more clearly defined in the south-east of the province, where Hindu agriculturists are in a majority. Among Sikhs the outstanding cleavage is between the Jat Sikhs and non-Jat Sikhs, who are mainly Arora Sikhs. This division also exists in their domestic politics.

141. On communal issues the distinction between urban and rural or agriculturists and non-agriculturists may be temporarily blurred, but since the Reforms it has never been effaced and it is the outstanding feature of political parties in the Punjab.

142. The above account of the political position explains why it has been necessary for the local Government to pay more regard to the division between urban and rural than perhaps in any other province. This division is embodied in the working of the present constitution. Urban constituencies are assigned to each of the three main communities. The numbers are :—general seven, Muhammadans five, Sikh one.

143. In the case of each community all towns with a population of not less than 10,000 are included in urban constituencies. In addition, cantonments, district headquarters, and first class municipalities are included, even though their population may be less than 10,000. The single Sikh constituency extends over the whole of the province.

144. The only change that has been proposed to us by the local Government in the principles underlying the existing delimitation of constituencies is that the population qualification has been reduced from 10,000 to 7,500. The latter figure was taken as a compromise between the existing position and the recommendation of the Indian Franchise Committee. The arguments in favour of lowering the population test from 10,000 to 7,500 may be stated briefly as follows :—

- (1) Speaking generally, a place with a population of 7,500 is regarded as more urban in its outlook than rural.
- (2) From the point of view of the rural party, it is undesirable that the voting in rural constituencies should be unduly affected by urban voters.
- (3) On the other hand, the urban party would naturally like the voting in rural constituencies to be tempered by urban voters, but, as against this, there is, from their point of view, the consideration that, assuming the distribution of constituencies between urban and rural roughly on the basis of population, the higher the unit of population, the lower would be the number of urban seats.

The urban party, it is true, do not accept the basis of population as a fair test for this purpose, having regard to the fact that it does not determine the distribution of seats under the



present constitution : but, assuming that the population will now be the rough test, their interests are conflicting as between a low and a high population test for urban constituencies.

145. It may be said with some confidence that the rural party, if given the choice between maintaining the population unit at 7,500 and keeping the number of rural seats as proposed by the local Government, on the one hand, and, on the other hand, raising the population unit to 10,000 and increasing the number of rural seats accordingly, would prefer the former alternative. The local Government cannot say with confidence which of these two alternatives the urban party would prefer. They would certainly be ready to sacrifice most of the urban seats if the population test were to be fixed so high as to allow the remaining towns materially to influence the rural vote. For instance, they would gladly accept Lahore and Amritsar as the only urban seats. Opinion would probably be divided as to whether they should have (say) six urban seats instead of eight as proposed by the local Government, if in return the rural vote was only slightly influenced by urban voters by a reduction of the population test from 10,000 to 7,500.

146. So far as the local Government are concerned, the choice therefore lies between maintaining their present proposals, or raising the population limit and reducing the number of urban seats. In no circumstances could they support a proposal to raise the population limit beyond the existing figure of 10,000 while keeping this unit as a general guide. They believe a change of this nature would be opposed to the wishes of the great majority of the people. At no time during the discussion of delimitation proposals, whether in the Provincial Franchise Committee or in the debate in the Legislative Council, has there been anything in the nature of a general demand, from any community, that the qualifying figure should be raised above 10,000. One or two speakers in the debate in the Legislative Council did indeed, raise the question : but opinion generally has not been in favour of raising the population unit, and, having regard to the fact that the Indian Franchise Committee had proposed to lower it, the question of raising it was hardly regarded as a live issue.

147. The arguments advanced by the urban Hindus may be summarised as follows :—

- (a) As compared with the present Legislative Council the future Legislative Assembly will contain 175 elected members as against 73.
- (b) When such a very large increase in elected members will take place, it is equitable that they should share the increase to a real extent. An increase from seven to eight seats is in fact far less than the substantial increase in the size of the Legislative Council ; proportionately it is, indeed, almost negligible.
- (c) That in future a probable, or at any rate a possible, line of political division is between urban and rural, and that for the pro-

tection of urban interests it is desirable that the urban representation should not be unduly small. In any case, having regard to the probability that a large proportion of the Muhammadan and Sikh members are likely to be rural in sympathy, the effective urban representation is likely to be comparatively small.

- (d) That the people of the cities, and especially the urban Hindus, represent out of proportion to their numbers the wealth and enterprise of the population as a whole, and that it is therefore right that they should be given some weightage.
- (e) Under the present constitution the qualification for the inclusion of a town in an urban constituency is that the population should not be less than 10,000. This figure has now been reduced to 7,500, which means an addition to the population and to the number of voters included in urban constituencies. On this ground also there should be an increase in the number of urban seats.
- (f) It is also argued that because of this reduction the chances of urban candidates capturing rural seats have been diminished.

148. To these arguments there may be added, what appears to us to be one of the main causes of dissension, the Punjab Land Alienation Act, which is described in a representation received by us as follows:—

“There is some conflict of interests between urban and rural classes everywhere, but in the Punjab the tension is very acute. There is mutual rivalry and jealousy on a scale and of an intensity to be found nowhere else. We have in the Punjab an Act called the Punjab Land Alienation Act, which is not a purely protective law. It is discriminative in its policy of protection. In each district there are certain tribes notified as agricultural tribes. A member of an agricultural tribe can sell his land to a member of another agricultural tribe in the district. But he cannot do so to a person who is not a member of the agricultural tribe without the sanction of the head of the district, viz., the Deputy Commissioner. The greatest scrutiny is now exercised over the sanction thus given. The peasant, therefore, enjoys no protection against wealthier members of his own class.”

This was also recognised by the Indian Franchise Committee. (Report, paragraph 170.)

“The Punjab Land Alienation Act confers great advantages, social and economic, on the members of agricultural tribes, and it would not be right to give them in addition the political predominance which they would gain if they formed three-quarters of the electorate. We recognise that the non-agricultural tribes contain a considerable element of the depressed classes and landless labourers who would not obtain the vote under any franchise system based on property and literacy

qualifications, but even so it should be possible to do more than has hitherto been attempted to correct the disparity between the agricultural and non-agricultural tribes."

149. On the other side we are told that :—

"The real issue in the Punjab, put in a nutshell, is how to put a stop to the ruthless exploitation, social, economic and political, to which the money-lending, shop-keeping and trading classes of the Punjab have been subjecting the rest of the population for generations. It would pay these classes if the attention of the general population were, by some plausible device, prevented from being focussed on this issue. Hence the bogey of statutory agricultural tribes, which have hitherto been fighting single-handed in the interests of all the exploited and disinherited classes of the Punjab."

150. Finally we have been asked to hold that the urban constituencies proposed by the Government, apart from the question as to how many there should be, are unwieldy, covering a huge area, and necessitating long journeys to distant places where in fact very few voters would reside. For example, in one of the Sikh urban constituencies, the candidate would find two, and only two, voters in the small town of Kalka. It was urged that the largest municipality in each urban constituency would in fact dictate who should be elected, and that towns far apart had very few common interests.

#### *Our recommendations.*

151. The problem therefore is fundamental. It appears to us that we have either to recognize or to disregard the fact that in this province definite political parties are in course of formation, and that the urban or rural "outlook" is in reality an important difference of opinion based on principles derived from agrarian economies. In this province of peasant proprietors, having regard to past history and the course of their evolution, we are of opinion that any material alteration of the proposals of the local Government would provoke grave discontent among the large majority of those who now receive the franchise. At the same time, in view of the reduction proposed in the standard of population, we are not prepared to deprive the towns of the weightage still given to the general seats. Actually on a strict population basis, the Hindu urban seats should not be more than six. They receive eight. We may add that this so-called "arbitrary and artificial" restriction of rural areas, by excluding all towns with a population of 7,500 or over, is not likely in our opinion, in the absence of any residential qualification, to prevent the election from rural areas of candidates who come from a city. In the past urban Hindus have in fact captured from six to eight of the rural seats, and one witness was confident that in the enlarged electorate urban Hindus would still be able to capture 22 out of the total 34 seats.

152. So far as the Muhammadans are concerned, there is not the same divergence of interest between urban and rural areas as among the Hindus. This is shown by the fact that in all the Legislative Councils since 1921, a great majority of the urban Muhammadan members have been

members of the National Unionist Party. On broad political grounds the same reason does not exist for giving them weightage.

153. Nor do we attach much importance to the composition of the proposed urban constituencies. It is true that they contain towns and small towns, many miles apart, but communications in the Punjab by rail and road are good, and canvassing, whether by the candidate himself or by an agent, in these places would be much easier than in the average rural constituency. We examined various proposed re-arrangements of these constituencies, but found the allocation proposed by the local Government to be the most satisfactory. One constituency could admittedly be improved, but only at the expense of deterioration of another. We therefore accept the proposals of the Punjab Government.

#### *The rural constituencies.*

154. We now turn to the rural constituencies. Under the local Government's proposals the average population per seat will be—

Muhammadian .. .. .	158,100
Sikh .. .. .	98,843
Hindu .. .. .	221,000

In rural areas so far as possible, the constituency has been formed either of a district or of one or more *tahsils* in a district. Though, when the Punjab came under British administration, districts and *tahsils* were delimited primarily for administrative convenience, great care seems to have been taken by the earlier British officials to respect tribal, cultural, political and other considerations in their delimitation. They strove to maintain the homogeneity of the respective territorial, racial and sub-divisions. These have now become recognised, and we adopted distinctive characteristics marking them all from other areas outside. In a few cases, however, it has been found necessary, because of the great disparity of population, to divide a *tahsil* by the removal of some police stations from its area for another constituency. At Amritsar a district has a population entitling it to three Members of Council, but its four *tahsils* like Dehra Ghazi Khan, it is necessary to divide into three constituencies, similarly, in the Muhammadan constituency of Bahawalpur and Jhang, the division of the *tahsil* has been found necessary. Variations in the voting strength are more marked at the village level. It would appear that Amritsar is not entitled to more than two constituencies. We are satisfied, however, that it is better to remain than to break up the *tahsil* in the centre of a large district where it would have the same effect.

155. In the general seats, Kartarpur is entitled to two seats, but having four seats against a population of only 100,000. Here again the removal of one seat from Kartarpur would result in an extremely awkward distribution of seats.

156. The percentage of the population in the rural constituencies varies from 4 to 14 per cent. of the total population of the Punjab.

from 15 per cent. to 20 per cent. in the case of Sikhs, and from 7 to 19 per cent. in the case of General constituencies. Other lists show that taking population and voting strength together the mean approaches very closely the standards proposed by the local Government.

*Representations in respect of individual constituencies.*

157. We have received a large number of representations in respect of individual constituencies. These we have examined in consultation with the local Government before reaching our decision. We are satisfied that save in three cases, to which we refer below, there is no justification for any alteration in the local Government's proposals, which are based on a long period of preliminary examination and local enquiry. Among the more important of the representations which we have received are requests—

- (i) that the Jullundur—Amritsar—Sialkot general constituencies should be rearranged;
- (ii) that the three Muhammadan seats allotted to the Attock district should be rearranged so as to give better effect to the tribal representation;
- (iii) that a third general seat should be allotted to the Karnal district, the seat in question being found by a reduction from three to two of the seats allotted to the Hissar district under the local Government's scheme;
- (iv) that the general constituencies allotted to Kangra and Hoshiarpur should be rearranged so as to give a larger number of seats to the latter;
- (v) that the Shakargarh *tahsil* of the Gurdaspur district should be formed into a separate Muhammadan constituency, the Gurdaspur and Pathankot *tahsils* of the same district being combined to form a second constituency;
- (vi) that the Lyallpur district should receive one more Muhammadan seat at the expense of Dera Ghazi Khan;
- (vii) that the Sikh constituencies assigned to the Amritsar district should be rearranged on one of two suggested alternative bases;
- (viii) that the Sikh constituencies proposed for certain groups of districts should be re-distributed;
- (ix) that there should be a rearrangement of the Sikh constituencies proposed for the Ferozepore district; and
- (x) that the towns of Jhang and Chiniot, in the Multan Division, which under the local Government's proposal are attached to the Rawalpindi general urban constituency, should be transferred to the Multan urban constituency.

We deal with these proposals *seriatim* below. We think it unnecessary to discuss the remaining proposals advanced to us, some of which transgressed the Communal Award, while others were obviously based on personal grounds.

(i) *Rearrangement of the Jullundur—Amritsar—Sialkot general constituencies.*

158. The local Government have in the first place recommended, in deference to representations received by them, a rearrangement, which we accept, under which the Jullundur district will be formed into a separate rural general constituency; Amritsar being combined with Sialkot to form a second general rural constituency, and Gujrat being added to the rest of the Rawalpindi Division to form a third.

(ii) *The Attock seats.*

159. In this case, after taking evidence at Peshawar, we recommend a slight departure from the proposals of the local Government. In the Attock district, as in the adjoining North-West Frontier Province, it is desirable, so far as possible, to form constituencies according to tribes. On the population basis the district is entitled to three constituencies but it contains four *tahsils*. We have had the advantage of seeing a note on the subject prepared by Mr. Garbett, a former Deputy Commissioner of the district, who prepared two alternative schemes. The local Government originally accepted one of these schemes. This was discussed with the representatives of the various tribes, and as a result we would suggest, in agreement with the tribal representatives, the substitution for it of the second alternative scheme for the three constituencies in Attock district. This will involve the transference, for tribal reasons, of certain *zails* from one constituency to another.

(iii) *Claims of the Karnal district.*

160. It would be impossible to transfer a third general seat from the Hissar to the Karnal district without a further sub-division of *tahsils*, which, in addition to offending against the principle which we have throughout adopted of basing constituencies, in the absence of decisive reasons to the contrary, on administrative units such as the district or the *tahsil*, would cause considerable administrative inconvenience, and we regret that we are unable to recommend it.

(iv) *Claims of the Hoshiarpur district.*

161. We have carefully investigated with the assistance of the local Government the suggestion that the general rural seats allotted to Hoshiarpur and Kangra districts should be revised. This was urged on us on the ground that Kangra has been unduly favourably treated, and that Hoshiarpur has not been given seats in proportion either to its population or to its voting strength. The specific proposal submitted to us was that the *thana* of Hajipur should be detached from the Hoshiarpur constituencies, and attached to a constituency in the Kangra district, partly on the ground that the Hajipur *thana*, which belongs to the Dasuya *tahsil* of Hoshiarpur, adjoins the Kangra district. The acceptance of the suggestion would involve the breaking up not only of *tahsils*, but of districts, and while for special reasons it has been found necessary in certain other instances in the Punjab to sub-divide districts or *tahsils*,

we are averse from recommending any such sub-division save where this is quite unavoidable. Apart from this, we are advised that there is no real identity of interest between the Hajipur *thana* and the Kangra district; that Kangra which is a hill district, has a distinct and marked individuality while the Hoshiarpur district is essentially a plains district, and finally that geographical considerations, and in particular the course of the river Beas, militate against the composition of a manageable and compact constituency on the basis suggested. We are unable in these circumstances to recommend it for adoption.

(v) *The Gurdaspur Muhammadan seats.*

162. We are, on the other hand, disposed to see definite advantage in constituting the Shakargarh *tahsil* of the Gurdaspur district into a single Muhammadan constituency, leaving the Gurdaspur and Pathankot *tahsils* of that district to form a second constituency, and, in the light of discussion with the local Government, and with their concurrence, we recommend that this modification be made.

(vi) *The Lyallpur Muhammadan seats.*

163. We have given careful consideration to the suggestion that the Lyallpur district should receive an addition, to be found from the Dera Ghazi Khan district, to the number of Muhammadan seats allotted to it. But we are not satisfied that any case for such a modification of the local Government's proposals has been established. Other considerations apart, we would draw attention to the fact that while Lyallpur which has four *tahsils*, also receives four seats, Dera Ghazi Khan, which has four *tahsils* receives three seats only, with the result that a sub-division of the *tahsils* is already necessary in the case of that district. To grant an additional seat to Lyallpur, a request which is not, in our view, justified by considerations of population or voting strength, would, in addition, involve the breaking up of the *tahsils* in that district, while it would still further aggravate the position in regard to the sub-division of *tahsils* in the district of Dera Ghazi Khan. We are unable in these circumstances to recommend its adoption.

(vii) *The Sikh seats in the Amritsar district.*

164. We now turn to the suggestions made to us in regard to the re-arrangement of the Sikh seats allotted to the Amritsar district. The first suggestion advanced aimed at the establishment of two constituencies based respectively on the Amritsar and on the Ajnala *tahsils* of the Amritsar district. Under the local Government's proposals, the constituency which contains the major portion of the Amritsar *tahsil* also contains portions of the Tarn Taran *tahsil*; while portions of the Amritsar *tahsil* are combined with portions of the Tarn Taran *tahsil* to form a separate constituency. The suggestion now under consideration would involve the alteration of the constituency boundaries so as to comprise the whole of the Amritsar *tahsil*, with the exception of certain *zails*, in one constituency. The *zails* in question, which are those which border on the Ajnala *tahsil*, would be added to an Ajnala constituency.

The second suggestion was that the constituencies in question should be rearranged as follows :—

- (1) Amritsar *tahsil* with the exception of the Majitha police station area.
- (2) Tarn Taran *tahsil* with the exception of the Gharinda police station area.
- (3) Ajnala *tahsil* with the addition of the Gharinda police station area and the Majitha police station area.

165. The adoption of the first of these suggestions would produce results which we cannot regard as satisfactory from the point of view either of the population or of the area of the constituencies which would result, and after consultation with the local Government we are unable to recommend it for acceptance. The second suggestion is *prima facie* attractive and we were at first inclined to think that there would be advantage in its adoption. But on a close analysis of the voting strength, the population, and the area of the constituencies which would result from its acceptance, we are satisfied that the arrangement proposed by the local Government, which ensures a closer relation between population and voting strength in the three constituencies affected, is preferable, and we accordingly recommend that it should stand.

(viii) *The Sikh seats in the Multan and Rawalpindi divisions.*

166. We now turn to the suggestion that the Sikh seats allotted to certain groups of districts under the local Government's proposals should be rearranged. Under the proposals in question, one seat is allotted to the districts of Gujrat and Shahpur; one to the districts of Jhelum, Rawalpindi, Attock and Mianwali; and one to the districts of Jhang, Multan, Muzaffargarh and Dera Ghazi Khan, with the Montgomery *tahsil* of the Montgomery district. The counter-proposal advanced to us was that these constituencies should be rearranged so as to exclude the district of Jhang and to include the district of Lyallpur, and to form three constituencies consisting respectively of the districts of Gujrat, Jhelum, Rawalpindi and Attock; the districts of Shahpur, Mianwali, Dera Ghazi Khan, Muzaffargarh and Multan, and the district of Lyallpur with the Montgomery *tahsil* of the Montgomery district. We have carefully investigated this proposal, with the assistance of the local Government. But we are advised that its acceptance would result in constituencies which would not only be very unsatisfactory in their geographical arrangement, but would be extremely inconvenient from the point of view of communications. Nor are we satisfied that they would represent any material improvement so far as population or voting strength of the constituencies is concerned. We are unable in these circumstances to recommend them for acceptance.

(ix) *The Sikh seats in the Ferozepore district.*

167. We have carefully examined the suggestion that it would be desirable to rearrange the Sikh constituencies in the Ferozepore district. The geographical position of the district in question is such



(c) *Chiniot and Jhang.*

168. We have investigated the suggested transfer of Chiniot and Jhang to the general urban constituency which includes the rest of the Multan Division. The local Government advise us, however, that while there is some force in the arguments advanced in favour of such a transfer, they are on the whole definitely of opinion that the existing allocation is the best. Chiniot is very near to the boundary of the Shahpur district, which is in the Rawalpindi division, and the people of Jhang and Chiniot have at least as much connection with the Shahpur district as they have with the rest of the Multan Division, while even the Jhang dialect is nearer to the Shahpur dialect than to the Multan dialect. We accept the local Government's view.

## VI.—BIHAR.

169. *Statistics.*

Area .. .. .	69,348 square miles.
Number of divisions .. .. .	4
Number of districts .. .. .	16
Number of sub-divisions .. .. .	53
Number of Revenue Thanas .. .. .	198
Population—	
Total Population .. .. .	32,371,000
Hindus (including scheduled castes and backward tribes) .. .. .	28,195,000
Scheduled castes .. .. .	4,491,000
Backward tribes (including 296,000 Indian Christians) .. .. .	3,855,000
Muhammadans .. .. .	4,140,000
Anglo-Indians .. .. .	5,892
Europeans .. .. .	5,390
Indian Christians .. .. .	320,000
Unit of constituency .. .. .	Sub-divisions.

*Distribution of seats.*

170. The distribution of seats in the present Legislative Council and in the future Provincial Legislative Assembly is as follows :—

	Legislative Council.			Legislative Assembly.		
	Urban.	Rural.	Total.	Urban.	Rural.	Total.
Muhammadan .. .. .	3	15	18	5	34	39
General .. .. .	6	42	48	5	81	86
Scheduled castes .. .. .	..	..	Nil	..	15	15

171. The Provincial Franchise Committee nominated by the local Government has for practical purposes remained in being since it was appointed to assist the Indian Franchise Committee which visited India in 1932. It started work on the delimitation of constituencies under the new constitution in January 1933, since when the matter has been discussed three times in the local Legislative Council. In April 1935 the proposals of the local Government were examined by two Committees, one for Bihar, and the other for Orissa, and the final revised proposals were published by Government in a series of communiqués issued in August 1935 in which criticisms were invited. The proposals in question were also debated in the Legislative Council for three days in September 1935; and the proceedings in these debates, with the representations received from the public, were considered by the Franchise Committees. We have had the advantage of two discussions with the Bihar Committee in Ranchi, as well as with the Orissa Franchise Committee. We entertain no doubt that the proposals of these Committees and of the local Government received adequate publicity and full discussion.

*The proposals of the local Government.*

172. The local Government propose that all municipal, notified and cantonment areas should be included in urban, and the rest of the province in rural, constituencies. The Muhammadan urban constituencies are to be increased from three to five; giving the Muhammadan urban population ten seats with a weightage of 50 per cent. above the strict population ratio. Four seats for women will also be assigned to urban areas, but it is thought that the main object of the women's representatives will be to uphold the interests of their sex, rather than those of urban as against rural areas.

173. Including fifteen seats reserved for the scheduled castes and seven for the backward tribes, there will be 88 general, and 34 Muhammadan rural constituencies. It is proposed that the backward tribal seats should not be separate constituencies but seats permanently reserved in certain territorial constituencies. The seats reserved for the scheduled castes will, with two exceptions, move round in rotation among groups varying from three to five constituencies. It is also proposed to rotate the women's seats. In addition to the multi-member constituencies necessitated by the reservation of seats for scheduled castes or backward tribes, the local Government proposed that the districts of Palamau and Singhbhum should each have two general seats in a plural member constituency, in Palamau because of the unequal distribution of population, while in Singhbhum there are important minorities, whose best chance of securing representation will, it is thought, be through multi-member constituencies with the use of the single non-transferable vote. The principle generally adopted has been to allot the total number of general and Muhammadan seats to each district in proportion respectively to the population of the general community (including the scheduled castes and the backward tribes), and to the Muhammadan population, and then to make minor adjustments necessitated by special circumstances. Account has also been taken of the facts that districts or divisions have particular local interests which are common to both communities, and that the total representation of any particular division should be approximately proportionate to its total population. The total number of rural seats which each division will get under the present proposals is very nearly the number which it should get in proportion to its total population.

174. In all multi-member constituencies it is proposed that every voter should have a single vote, on the grounds that this is administratively convenient and that it is simpler both for the voter and those who have to count the votes. The method of voting proposed is the use of coloured and numbered boxes.

*Special features of the province.*

175. In the Patna and Tirhut divisions, the population, which is purely agricultural, is very dense, reaching in the Saran district the astounding figure of 927 per square mile. The increase in the electorate under the provisions of the Government of India Act places therefore a considerable strain on the administrative machinery. For the first election, as provided in Part VII of the Sixth Schedule to the Act, the general franchise qualification will be twelve annas chaukidari tax, to be reduced to nine annas after three years. Even for the first election however, when the general franchise will be twelve annas, the size of the rural electorate in Bihar will be 2,000,000, which means that an average polling station will have to deal with nearly five thousand voters. Thus polling at most stations would, even at the first election, require four or five days on the average, and in some places even longer, especially as the polling of women, and of the newly enfranchised men, will be slow.

176. The second distinguishing feature of this province is the large tribal population in the district of the Santal Parganas and the Chota Nagpur division. In the latter a large number of the aboriginals are Christians, so that many electors will vote in two constituencies, that for Indian Christians and that containing a reserved seat for backward tribes. We would like to state that we were very favourably impressed by those aboriginal witnesses who represented the tribes and the Indian Christians. We hope that men of this class may be available for the plantation labour constituencies we propose for Assam and the Darjeeling and Jalpaiguri districts of Bengal.

*Our criticisms of the local Government's proposals.*

177. After discussion with the local Government and the Bihar Franchise Committee we commented on the marked disparity in both population and voting strength between certain constituencies, as for example the Gaya Sadr and the East Champaran general rural constituencies. We suggested a re-arrangement of the two general rural constituencies in the Hazaribagh district, the inclusion of Minapur police station in West Muzaffarpur Sadr, and a different division of the Samastipur sub-division. We also enquired, in view of representations we had received, whether seven seats should not be allotted to the Darbhanga district and four to Champaran as had originally been proposed by the Committee. We were doubtful as to the need for the two proposed multiple constituencies (Palamau and Singhbhum), and we wished to satisfy ourselves that seats reserved in multi-member constituencies in which all electors could vote were best in the interests of the backward tribes. We deprecated the system of rotation either for the women's or the scheduled caste seats, and we asked for alternative proposals.

*Replies to our criticisms.*

178. The Local Government explained that population had not been used as a rigid criterion, because obviously there were places where area must also be taken into consideration. Thus the sparsely populated tract of Chota Nagpur naturally was given, proportionately to its population, more seats, while Gaya with a dense population got fewer. (The latter district has a scheduled caste population of nearly one-third of its total population, and gets two extra seats on that account.) To disturb the proposed allotment of seats in any one district would upset the whole balance of the scheme. If one seat were taken from Champaran that district would relatively be worse represented than the Santal Parganas, and there would be claims that a seat should then be taken from the latter district. Finally, the local Government were anxious for administrative reasons to adhere to sub-divisional boundaries as the basis of the constituencies.

*Our recommendations.*

*Scheduled castes.*

179. In the first place, for reasons stated elsewhere, we dislike the principle of rotation, and we consider that the seats assigned both to women and to the scheduled castes should be fixed definitely. We entertain no



## VII.—THE CENTRAL PROVINCES AND BERAR.

183. *Statistics.*

Area of Province	..	..	..	..	99,920 square miles.
Number of divisions	..	..	..	..	4
Number of districts	..	..	..	..	19
Population—					
Total population	..	..	..	..	15,507,723 (of which 2,823,000 represents the population of Berar).
General population (excluding Europeans and Anglo-Indians, but including scheduled castes)	..	..	..	..	14,815,054
Scheduled-castes	..	..	..	..	2,927,343
Aboriginal tribes	..	..	..	..	1,300,000
Muhammadans	..	..	..	..	682,854
Anglo-Indians	..	..	..	..	4,740
Europeans	..	..	..	..	5,075
Indian Christians	..	..	..	..	35,531

*Allocation of seats under the Government of India Act.*

184. Under the provisions of the Government of India Act, the future Legislative Assembly in the Central Provinces and Berar will contain 112 seats. Of these, 84 are general seats (twenty of this number being reserved for members of the scheduled castes), fourteen are allotted to Muhammadans, one to Anglo-Indians, one to Europeans and one to a representative of backward tribes. Three general seats are in addition assigned to representatives of women; the remaining eight seats being set aside for representatives of various special interests.

*Preparatory work by the local Government and the Provincial Advisory Committee.*

185. Detailed alternative schemes for the delimitation of the constituencies in the Central Provinces and Berar had been worked out so long ago as 1933. Pending the results of the discussions in Parliament on the Government of India Bill, further progress was impossible. But at the beginning of July 1935 the local Government set up a Committee consisting of representative members of the Provincial Legislative Council (fourteen being non-officials, one a Minister, and five officials) under the chairmanship of the Revenue Member of Government, to advise them on the alternative schemes referred to above, as subsequently modified. The recommendations of the Committee regarding the territorial constituencies in the future Assembly were released for public criticism on 30th July, and they were debated in the Provincial Legislative Council on 17th August. Supplementary proposals for the constituencies assigned to representatives of special interests, for the method of voting in multi-member constituencies, and for the formation of constituencies for the Federal Legislature, were published on 3rd September. The proposals placed

before us when we visited Nagpur in September were framed after consideration of the representations received from the general public (copies of which were communicated to us), the opinions expressed in the debate in the Provincial Legislative Council, and the recommendations of the Provincial Advisory Committee. It will be seen that the process of investigation has been a thorough one, and that the fullest regard has been paid to the expressions of representative opinion in the province.

*The proposals of the local Government.*

186. As will be seen from paragraphs 187 to 199 below, the local Government, while they had exhaustively examined three alternative schemes of delimitation, regarding all of which they furnished us with the fullest and most valuable material, were unable, owing to the impracticability of reconciling the rival claims of the Central Provinces and Berar, to put forward any scheme for the general territorial constituencies with the support of all sections of opinion in the province. The compromise scheme which they recommended as a basis for consideration, is based primarily on population, with a special weightage for Berar; on single-member constituencies, and on the grant of a degree of weightage to urban interests in the province (a population of 10,000 being taken as the criterion of urban) the appropriateness of which we discuss below. The seats allotted to the scheduled castes are assigned to those areas in which the scheduled castes are most numerous. The general effect of the local Government's scheme is to reduce the average size of a general and a Muhammadan constituency respectively from 3,123 and 16,655 square miles to 1,850 and 8,326 square miles; the population of the average general constituency from 431,281 to 255,574; and that of the average Muhammadan constituency from 113,783 to 50,100.

*The distribution of the general territorial seats between the Central Provinces and Berar.*

187. The most important problem which faced us in connection with the delimitation of constituencies in the Central Provinces was that of the distribution of the general territorial seats between the Central Provinces and Berar. Under the existing constitution Berar receives a certain weightage in terms of seats in the Central Provinces Legislative Council, and the question for decision is whether that weightage should be maintained in the allocation of seats in the future Central Provinces Legislative Assembly, either in its entirety or in a modified form.

188. No difficulty arises regarding the allocation of the seats set aside for representatives of women, or of special interests such as labour, commerce, landholders, or the University. Nor is there any material difference of opinion regarding the distribution of the Muhammadan seats. The controversy which has arisen is essentially in connection with the distribution of the 84 general seats.

189. If population is adopted as the basis of distribution, the Central Provinces will be entitled to 66, and Berar to 18, general seats. If the size of the electorate under the new constitution is adopted as the criterion, the distribution will substantially be the same. The extreme

claim advanced on behalf of the Central Provinces is that the allocation should be based on population only, that no weightage should be given to Berar, and that she should therefore receive not more than 18 general seats. The extreme demand put forward by Berar, on the other hand, is that she should retain the full weightage which she enjoys under the existing constitution, and that she should therefore receive no fewer than 27 general seats.

*The claims of Berar.*

190. The claim advanced by Berar is that a substantial weightage on the scale embodied in the existing constitution is an essential safeguard for her particular interests, and one which she is justified in claiming for a variety of reasons. The more important arguments advanced in support of her claim are—

- (1) that the relation between the Central Provinces and Berar is essentially the same as that between the Federation and an Indian State which contemplates acceding to the Federation ;
- (2) that as a term of entering into union with the Central Provinces Berar is entitled to make her own terms ;
- (3) that assuming that the analogy with the Federation is accepted, weightage on the same scale as that accorded to the Indian States in the future Federal Assembly should be given her, and
- (4) that she should therefore be allotted 33-1/3 per cent. of the total seats in the future Provincial Assembly ;
- (5) the extent of her contribution to provincial revenues ;
- (6) the existing weightage accorded to Berar in the provincial Legislative Council, which dates from the constitution in 1914 of the first Central Provinces Legislative Council under the Morley Minto Reforms, and which has consistently secured for Berar rather over one-third of the total directly elected seats in the provincial legislature ;
- (7) the peculiar political position of this area, with its special relation to H. E. H. the Nizam, a position now regulated by the provisions of the Government of India Act, 1935 ;
- (8) the advanced and progressive character of its population, and the high level of literacy and of general education existing in it, as compared with the districts of the Central Provinces.

191. In so far as the distribution of seats is to be on the basis of population, it is urged that the 1,300,000 aboriginals in the Central Provinces should be excluded from the calculation, on the ground that one seat is already reserved for them, and that, it is alleged, their representation on the electoral roll will be negligible. In so far as the decision is to be taken on a consideration of the relative voting strengths of the Central Provinces and of Berar, it is claimed that the operation of the franchise prescribed for the latter under the provisions of the Government of India Act places it at a disadvantage where mere numbers of electors are concerned. A final point, on which great stress is laid, is that under the new constitution, Berar will lose the special rights which it enjoys under the present constitution, in regard to legislation, while it is suggested that " the dis-



appearance of the Government bloc is going to make a considerable difference to the position of Berar politically in the Legislative Assembly."

*Counter arguments of the Central Provinces.*

192. To the arguments advanced on behalf of Berar, the representatives of the Central Provinces reply—

- (1) that the Government of India Act clearly contemplates a fusion for legislative purposes of the Central Provinces and Berar ;
- (2) that if Berar is in future to be a constituent part of the Central Provinces, subject to the provisions of the Government of India Act, she cannot claim the same treatment as a federating unit, and that the argument based on Federation is wholly fallacious ;
- (3) that it follows that there is no justification for the claim advanced to one-third of the total seats in the future provincial Assembly on the ground that this is the proportion of representation accorded to federating states in the Federal Lower House ;
- (4) that the only reasonable basis for the allocation of seats is the population basis ;
- (5) that if this basis is applied, Berar will be entitled to no more than 22 general and Muhammadan seats as against 76 which will fall to the Central Provinces ;
- (6) that if voting strength is adopted as the criterion, the results will be no more favourable to Berar ;
- (7) that the arguments advanced by Berar, in so far as they are based on her contributions to provincial revenues, on her special political position, or on considerations such as the level of education and general advancement or development of her population are irrelevant ; and
- (8) that there is no case for a maintenance in the new provincial Legislative Assembly of the weightage at present accorded to Berar.

*The three alternative schemes of delimitation.*

193. The local Government, the Provincial Delimitation Committee and the representatives of Berar and of the Central Provinces have for several months been engaged in a discussion of this problem, but have found it impossible to reach any agreement ; and the efforts which we ourselves made during our visit to Nagpur to bring the parties together and reach an agreed settlement proved, we regret to say, abortive. The local Government originally placed three schemes before the provincial Delimitation Committee :—the first representing the extreme Central Provinces demand as described in paragraph 189 above ; the second the extreme Berar demand as explained in the same paragraph ; the third scheme (put forward by the local Government) representing an attempt at a compromise. Under the third scheme Berar (which on population and on voting strength would be entitled to 22 general and Muhammadan seats) would receive a total of 27 (21 general and 6 Muhammadan) as against its

claim to 33 (27 general and 6 Muhammadan). We found on our arrival that a complete deadlock had been reached, and that the division of opinion as to the distribution which would be appropriate extended even to the local Government, who were divided on the subject.

### *Our conclusions.*

194. We have in these circumstances given the most careful consideration to this most difficult and important question. In doing so, we have had the advantage of considering the debates which had taken place regarding it in the provincial Legislative Council, the various notes recorded in connection with the work of the Provincial Delimitation Committee, and the considered opinion of the local Government, who, in the absence of any proposal which could be regarded as satisfactory to both parties, recommended their own compromise scheme to us for acceptance. We have further had the assistance of a full and exhaustive discussion with representative deputations from the Central Provinces and from Berar, whose evidence has been of the greatest assistance to us in formulating our final conclusions.

195. We are satisfied as a result of the closest investigation of this matter in all its aspects that there is a case for according some weightage to Berar. We agree with the representatives of the Central Provinces in regarding the arguments based on the contribution made by Berar to provincial revenues as irrelevant. It is indeed obvious that if the financial contribution of particular areas was to be the deciding factor, it would be necessary to consider the claims not merely of areas such as the Central Provinces and Berar, but the competing claims of different divisions and of different districts in the same province. We equally reject as wholly untenable the arguments based on the suggestion that the relation between the Central Provinces and Berar is analogous to that of an Indian State entering the Federation.

196. Nor do we agree that the aboriginal tribes should be omitted from the calculation in any distribution of seats based on population. We are informed that those tribes will secure admission to the electoral roll in such numbers that, if they combine, they can probably secure five seats in the general constituencies in addition to the one seat which is reserved for them; and it is unreasonable in these circumstances to leave them out of account.

197. Despite, however, our inability to accept the arguments discussed in the preceding paragraphs, we accept as sufficient justification for the continuance of some degree of weightage, the fact in the first place that Berar has consistently enjoyed a very substantial weightage since the introduction of legislative institutions in the Central Provinces. Secondly, though we regard this as a matter of minor importance, we recognise that the franchise qualifications embodied in the Government of India Act do to some extent tend to militate against the raising of the electorate in Berar to the same relative standard as that in the Central Provinces. We are disposed finally to see considerable force in the contention that, by losing her special rights in regard to legislation, Berar is deprived of a privilege which has a definite value of its own, and the disappearance of which can

reasonably be taken into consideration in connection with the allocation of representation in the new legislature.

198. On the other hand, we cannot agree that any case has been made out for a weightage on the scale now claimed by Berar. The unsubstantial basis of her general claim, the weakness of which will appear from the preceding paragraphs, is a fundamental objection to granting that claim in full. On two minor, though important points, it is relevant that her population, which at the time when the original weightage was fixed was approximately one quarter of the population of the Central Provinces—a proportion reflected in the weightage then given—has now declined to approximately one-fifth. It is true that the population of the Central Provinces has been increased by the inclusion of certain zamindari areas, which were previously excluded areas. But nevertheless the Berar electorate, which, under the Montagu-Chelmsford Reforms, constituted approximately one-third of the total electorate of the Central Provinces, is now only about one-fifth—a reduction greater than can reasonably be accounted for merely by the differential operation of the franchise under the different systems of land tenure in the Central Provinces and Berar.

#### *Our recommendations.*

199. After careful consideration we recommend in these circumstances, with a slight modification, the adoption of the compromise scheme put forward by the local Government. That scheme is, as it stands, rather more generous to Berar than the circumstances justify. We recommend, accordingly, that the number of general seats allotted to Berar under the compromise scheme should be reduced by one. Our specific proposal is that the seat to be removed from Berar should be the general urban seat which, under the local Government's proposal, is allotted to Amraoti-Akola, and that these two towns (to which, incidentally, a general woman's special constituency will be assigned under our proposals), should fall respectively into the general urban constituencies proposed by the local Government for East Berar and West Berar. The general seat which will thus become available should, in our view, be allotted to the Drug-Bemetara constituency, which is insufficiently represented as matters stand.

#### URBAN AND RURAL REPRESENTATION.

##### *Proposals of the local Government.*

200. As stated above, the general effect of the basis for urban representation suggested by the local Government is to include in urban constituencies all municipalities and towns with a population of 10,000 and over. They recommend that 16 seats (including the three seats reserved for women) should be allotted to urban constituencies. The total urban population of the Central Provinces and Berar, applying the criterion of 10,000, suggested by the local Government, is about 1,270,000 (of whom 1,021,000 are non-Muhammadans) or rather under 10 per cent. of the total population of the province. On the basis of the criterion of 10,000, urban interests would be entitled to some 7 seats (for the moment the seats allotted to women may be left out of account). The local Government propose to allot 11 seats to them, and to provide

in addition that the three seats assigned to women shall be located in multi-member constituencies in urban areas.

*Questions for consideration.*

201. The main questions which appeared to us to call for consideration were—

- (a) whether the basis for urban representation suggested by the local Government is acceptable ; -
- (b) whether the weightage allotted to urban interests is not unnecessarily heavy and if so, whether some adjustment of it could not be made.

*(a) The basis proposed for urban representation.*

202. As regards the first of these points, the local Government admitted that the application of the test recommended by them would result in the inclusion in urban constituencies of a large number of towns which were probably essentially rural in character. But they thought that the general case for the criterion adopted by them was a strong one in the conditions of the Central Provinces ; and they emphasized that, with the solitary exception of a demand for one additional urban seat for Nagpur, the allocation proposed by them on the basis of that criterion had produced practically no criticism from the public and none from the provincial Legislative Council. We felt that in these circumstances, having regard to the considerations discussed in Chapter II of our Report, the proposals of the local Government could be accepted as generally suitable.

*(b) The urban weightage.*

203. As regards the weightage to be given to urban areas, we could not but feel that this was disproportionately heavy. It might in a sense be argued that the problem of urban as against rural is not of vital importance in the Central Provinces. As will be seen from the figures in paragraph 200, the urban population, even on the basis of the local Government's criterion of 10,000, is small, and urban characteristics are not strongly marked in the province. Admittedly, too, the urban areas enjoy a substantial weightage under the existing constitution (some 9 seats out of a total of 55 elected seats as against 2·8 to which they would be entitled on a population basis). Here, as elsewhere, we think it undesirable to reduce the representation allotted to urban areas below its existing level ; and we did not in these circumstances regard it as desirable to invite the local Government to reduce that representation below its present figure of nine seats. But under the proposals of the local Government, involving as they did not merely the maintenance of the existing nine general urban seats, but their increase to eleven, the allocation of two urban seats to Muhammadans and (in so far as the seats allotted to women can properly be taken into consideration in a calculation such as the present) the allocation of the three women's seats available to urban constituencies, so many as sixteen seats out of 101 general and Muhammadan seats would be set aside for urban representation, a figure representing approximately 100 per cent. weightage.

*Views of the local Government.*

204. We discussed this matter in detail with the local Government. They pressed very strongly for the retention of the eleven urban seats. They emphasized that the number in question represented a very definite reduction in the relative representation of urban areas in the provincial Assembly as compared with the present. Their considered opinion was that in present conditions in the Central Provinces, urban constituencies were entitled to a greater representation than they would receive in proportion to their population; and that the arrangement proposed was one which would give a fair representation to urban areas without allowing them undue weight at the expense of rural areas. They emphasized in particular that the responsibility for the existing weightage rested primarily on the Southborough Committee, who recommended a weightage for urban areas which has in practice proved excessive. That weightage however was given and could not now be eliminated without giving rise to a justifiable sense of grievance. The relative reduction in the representation of urban areas which was involved in the proposals submitted by the local Government, represented in their view the maximum readjustment which was practicable, and they urged that the fact that there had been no criticism of their proposals on this point in the discussions in the Provincial Committee or the provincial Legislative Council was a substantial argument in favour of them.

205. The local Government agree, however, in the circumstances discussed in Chapter VI of our Report, that it would be desirable to create special women's constituencies rather than, as originally proposed by them, to reserve the women's seats in multi-member urban constituencies. The special constituencies in question will still be located in towns. But they will not be reserved in multi-member general urban constituencies, and so will no longer form part of the general scheme of urban representation. We think therefore that they can fairly be left out of account in assessing the degree of specific representation allotted to urban areas under the local Government's proposals.

*Our recommendations.*

206. In the light of the explanations furnished to us by the local Government, of the modifications which they have made in their scheme, and of our discussion with them, we agree that the weightage which they propose to allot to urban interests, while heavy, is not unjustifiable, and we recommend their modified proposals for acceptance.

*Questions arising in connection with individual constituencies.*

207. We have received a number of suggestions for modifications of detail in the composition or the allocation of the various constituencies proposed by the local Government in the provincial Legislative Assembly. We have discussed these with the local Government and with the Provincial Committee. The most important of these questions are—

- (a) the distribution of seats between the divisions of the Central Provinces;

- (b) the claims of the Nimar district that the constituencies allotted to it should be revised so as to produce two constituencies of East and West Nimar respectively ;
- (c) the suggestion that one scheduled caste seat should be removed from the Saugor district and replaced by an unreserved seat ;
- (d) the adequacy of the representation allotted to the scheduled castes in the Chattisgarh division ; and
- (e) the desirability of the allotment of an additional general seat to the Drug district.

(a) *Distribution of seats between the divisions of the Central Provinces.*

208. Such difficulties as arise in connection with the distribution of seats between the divisions of the Central Provinces essentially affect the Nagpur, the Jubbulpore and the Chattisgarh divisions. In the event of 27 general and Muhammadan seats being allotted to Berar, as proposed in the Government's compromise scheme, the Nagpur division would be entitled to 21 seats on population and voting strength ; the Jubbulpore division to 20 seats on population and to 21 seats on voting strength ; and the Chattisgarh division to 30 seats on population and 29 seats on voting strength. Under the proposals of the local Government (leaving out of account the seats allotted to women) the Nagpur division receives 23 seats, in addition to one seat which it shares with the Jubbulpore division ; the Jubbulpore division receives the same number ; and the Chattisgarh division receives 24 seats.

209. *Prima facie* the relatively small number of seats allocated to the Chattisgarh division calls for justification. We are, however, informed by the local Government that in their view the allotment of seats to this division strictly on the basis either of population or of voting strength alone would not be justified. The division has a larger proportionate scheduled caste population than any other division ; it has no towns of any considerable importance ; and it is generally less advanced than the other divisions. It is suggested further that the present relative representation of the division in the Legislative Council must also be taken into account. The allotment to the Chattisgarh division of the 29 general and Muhammadan seats which would be justified on considerations of voting strength would give it almost four times the number of seats it has at present in the Legislative Council. And the considered view of the local Government is that the allotment to it of 24 seats, including two seats shared by other divisions, will afford a reasonable representation to the Chattisgarh division, and will enable a representation more commensurate with their importance to be given to the Nagpur and the Jubbulpore divisions.

*Our recommendations.*

210. We still feel some slight uneasiness at the relatively small number of seats allotted to the Chattisgarh division. It will, however, be possible to some extent to improve the position consequent on the proposed reduction by one of the number of general seats to be allotted to Berar. That seat, as explained in paragraph 214 below, should, in our view, be

allotted to the Drug-Bemetara constituency in the Chattisgarh division, and with this addition we are satisfied that, having regard to the considerations urged by the local Government, the representation accorded to the three divisions now under discussion may be regarded as generally equitable.

*(b) The claims of the Nimar district.*

211. The acceptance of the suggestion for the distribution of the constituencies in this district would involve the splitting of *tahsils*. We regard it as of great importance to maintain, save where there are quite exceptional circumstances, the principle that constituencies should so far as practicable be based on administrative units, and we are unable in these circumstances to accept the suggestion in question. We may, however, add that a re-arrangement of the constituencies originally proposed for the Nimar district, under which Khandwa *tahsil* will be formed into one constituency and the *tahsils* of Harsud and Burhanpur are combined to form the second constituency, has been recommended by the Provincial Delimitation Committee and accepted by the local Government, and this re-arrangement, which we regard as a definite improvement, should in our view go far to remove any legitimate feeling of dissatisfaction in this district.

*(c) The suggestion that one scheduled caste seat should be removed from the Saugor district and replaced by an unreserved seat.*

212. We have considered this suggestion, but we are satisfied that there is no justification for the substitution of an unreserved seat for a reserved seat in this district.

*(d) The adequacy of the representation allotted to the scheduled castes in the Chattisgarh division.*

213. This question is examined in greater detail in Chapter V of our Report, which deals with the representation of the scheduled castes. Broadly speaking, we are satisfied that no case has been established for a revision.

*(e) The desirability of the allotment of an additional general seat to the Drug district.*

214. The number of voters per seat in the Drug district is substantially higher than elsewhere. On the basis of population the district (with the district of Mandla) is recognised by the Provincial Committee as having the best claim to additional representation, and the local Government informed us that they agree with our view that there is a case for the assignment to it of an additional seat, if this can be made available. Consequent on the reduction which we have recommended in the number of general seats allotted to Berar, one seat is now available, and we recommend, in agreement with the local Government, that it should be allotted to the Drug-Bemetara constituency of the Drug district.

## VIII.—ASSAM.

215. *Statistics.\**

Area .. .. .	27,572 sq. miles.
Number of divisions .. .. .	2
Number of districts .. .. .	10
Population—	
Total population .. .. .	8,214,076
Hindu (excluding Sikhs, Jains and Buddhists, but including the scheduled castes) .. .. .	4,858,779
Scheduled castes .. .. .	572,490
Muhammudan .. .. .	2,753,563
Tribal .. .. .	470,093
Anglo-Indians .. .. .	578
Europeans .. .. .	2,961
Indian Christians .. .. .	117,206

\* These statistics do not cover the areas recommended by the Government of Assam for total exclusion, viz., the Seliya, Balipara, and Lakhimpur Frontier Tracts, and the Naga, Lushai, and North Cachar Hills.

*Distribution of seats.*

216. Under the provisions of the Government of India Act, 83 seats in the Assam Provincial Legislative Assembly will be filled from territorial communal constituencies. Of these seats, 47 are general (seven of this number being reserved for the scheduled castes), 31 are Muhammudan, one is reserved for Europeans, and one for Indian-Christians. In addition, nine seats are set aside for representatives of backward areas and tribes, four for representatives of labour, eleven for representatives of commerce, industry, mining and planting, and one seat, which under the terms of the Government of India Act will be non-communal, for the representation of women.

*Preparatory work by the local Government and its Provincial Committee*

217. The problem of delimitation has been under active investigation by the Government of Assam and its Provincial Franchise Committee since 1932. Tentative proposals for the Provincial Lower House framed by the Reforms Officer in December 1932 were sent to all district officers with instructions to consult public opinion in their districts. The opinions received were examined in detail in March 1933 by the Provincial Franchise Committee, who came to certain decisions regarding the distribution of seats between the Assam and the Surma Valleys and their allocation to individual districts. In 1935, a scheme for the distribution of constituencies within the districts on the basis of the Franchise Committee's proposals was drawn up by the Reforms Officer and sent to district officers for their views. In the light of those views, the matter



was again examined by the Franchise Committee in June 1935, and the scheme, as modified by them and by the local Government, was published in the press in August 1935, when representations and criticisms were invited. In its final form, the scheme as modified was debated in the provincial Legislative Council in September of last year. The representations we have received have satisfied us that full publicity has been given to the proposals of the local Government and that informed opinion in the province has had every opportunity to consider its recommendations.

### *The local Government's proposals.*

218. The proposals submitted to us by the Government of Assam as the result of the investigations referred to in the preceding paragraph are based primarily on population, but consideration has also been given to other factors, such as voting strength, area, special difficulties of communication, and the desirability of avoiding the sub-division of administrative units. Save where special circumstances, such as the reservation of seats for the scheduled castes, necessitate plural member constituencies, the local Government are in favour of single-member constituencies. No seats are set aside for urban areas, but the single seat to represent women, the voters for which will be women only, was under their original proposals allotted to municipal areas, and, on the occasion of the first election, to the town of Shillong. The average area in square miles of a general and of a Muhammadan seat under the present constitution is 1,569 and 2,772 square miles, respectively. Under the local Government's proposals, these figures will be reduced to 587 and 811 square miles. The average population per seat will fall from a present figure of 260,000 for general and 229,000 for Muhammadan seats to 103,000 and 81,000 respectively. The 81 seats allotted to Hindus (including the scheduled castes) and Muhammadans have been divided between the Assam and the Surma Valleys in the proportions of 44 : 37. Of these 32 general (including three scheduled caste) and twelve Muhammadan seats are allotted to the Assam Valley, and fifteen general (including four scheduled caste) and twenty-two Muhammadan, are allotted to the Surma Valley.

### *The question of urban and rural.*

219. The question of the relative representation of urban and rural is of little importance in Assam. The province contains only three towns of any size, Shillong, Gauhati, and Sylhet. The largest of these, Shillong, has a population (including the cantonment) of 26,536 only. The population of Gauhati is 21,797 and that of Sylhet 21,435. Under the present constitution, one urban seat is assigned to Shillong. This the local Government propose to abolish, and, while the seat reserved for women will be assigned to Shillong, no seat will be set aside to represent urban interests as such. Having regard to the relative unimportance of those interests, we are content to accept the recommendation of the local

Government on this matter, and the lack of interest displayed in the question in the voluminous evidence we have received confirms us in our view that that recommendation is well-founded.

*The main problems for settlement.*

220. The questions of real importance as affecting the territorial communal constituencies are—

- (a) the arrangements proposed for the seats reserved for Scheduled Castes,
- (b) the claims of the Assam and the Surma Valleys to a re-adjustment of the territorial communal constituencies which would give one Valley a larger number of seats at the expense of the other.

We deal with the first of these questions in greater detail in Chapter V of our Report. Suffice it to say that, in the light of a close examination of the position, and of the evidence, written and oral, tendered to us, we found ourselves unable to support the local Government's proposals for the rotation of these seats, and that we felt obliged to recommend certain alterations in the constituencies in which they were to be reserved.

*The rival claims of the Assam and the Surma Valleys.*

221. The second question impressed us as the question of vital importance in the delimitation of territorial constituencies in Assam. A rivalry of long-standing, into the historical reasons for which it is unnecessary to enter, divides the two Valleys, in one or other of which practically all of Assam is situated, which is not an excluded or a partially excluded area. So acute is this rivalry that it transcends communal and caste differences; and the line of division in Assam politics is primarily not between Hindu and Muhammadan, or on caste lines, but between the inhabitants of the Assam Valley and those of the Surma Valley.

222. The distribution of seats between the two Valleys which the local Government had recommended is given in paragraph 218 above. We received strong representations in favour of the revision of that allocation so as to increase the number of Muhammadan seats allotted to the Assam Valley from 12 to 13 or 14, and the number of general seats from 32 to 34. Claims were on the other hand advanced by the Surma Valley for an increase in the number of general and of Muhammadan seats, and for an increase from 4 to 5 of the number of scheduled caste seats.

223. This question is of great local importance, and we make no apology in the circumstances for explaining in greater detail than might otherwise

be necessary the steps by which we have reached our conclusion regarding it. The position may be illustrated by the following table:—

	Area in sq. miles.	Population <sup>a</sup> .		No. of seats allotted to be local Government's proposals.		No. of voters.	
		General.	Mohamedan.	General.	Mohamedan.	General.	Mohamedan.
Assam Valley ..	20,894	2,723,000 (S. C. 1,67,000)	924,000	22 (S. C. 3)	12	250,000 (S. C. 17,000)	72,000
Surma Valley ..	7,450	122,000 (S. C. 190,000)	1,000,000	15 (S. C. 4)	22	142,000 (S. C. 61,000) (including Natives)	124,000

<sup>a</sup>Including Scheduled Castes, but excluding Backward Tribes. Total population in constitution for Assam population, and Indian Christians.

224. Here as elsewhere we accept population as the essential basis of our delimitation, though here as elsewhere we are prepared to make minor adjustments where circumstances such as voting strength, area, communications, etc., in our opinion, make them desirable. For convenience we deal first with the seats allotted to the scheduled castes—a matter to which we also refer in Chapter V of our Report. Under the local Government's proposals, three seats are allotted to the Assam Valley and four to the Surma Valley. On population the Assam Valley is entitled to 2.2 seats and the Surma Valley to 4.8. On the other hand, while the bulk of the scheduled caste population is settled in the Surma Valley, the numbers of those castes in the Assam Valley are by no means negligible, and the large area of that Valley and the scattered nature of the scheduled caste population which inhabits it may be held to justify a larger number of seats than mere population would justify. If the number of scheduled caste seats in the Assam Valley were reduced to two, these would have to be assigned to the districts of Kamrup and Nowgong, with the result that a number of districts, with a substantial scheduled caste population, would be left without any scheduled caste representation in the provincial assembly. Finally, while a claim for five seats for the Surma Valley has been urged before us, that claim would appear to be of recent growth, and the allocation in the proportion of 1 : 3 recommended by the local Government had the full support of the Provincial Franchise Committee and of the bulk of public opinion. We have found some difficulty in these circumstances in reaching a conclusion. But on a review of the position as a whole, we recommend, though with a recognition of the fact that the balance of the conflicting considerations is somewhat delicately adjusted, that the number of scheduled caste seats allotted to the Assam Valley should remain fixed at the figure of three, as recommended by the local Government, and that no increase should be made in the number of scheduled caste seats allotted to the Surma Valley.

225. We have carefully considered the claims of the Surma Valley to additional unreserved general seats, but we regard it as without foundation. Indeed, applying the criterion of population alone, there is some case for holding that the fifteen seats allotted to the Surma Valley under

the local Government's proposals represent more than its due share. We are of opinion, however, on a broad view, that the allocation recommended by the local Government, which was supported by the Provincial Committee and by a very substantial body of public opinion, is the right one, and we recommend it for adoption.

226 On the strict basis of population, the Surma Valley is entitled to the 22 Muhammadan seats which the local Government have recommended for it. We observe, however, that the majority of the Franchise Committee were in favour of reducing this number to 21; and that in September 1935, the provincial Legislative Council, by a majority of two in a house of 42 (nine officials, or members of the Government, voting with the minority) carried a resolution in the same sense against the Government. We understand, moreover, in the first place that no more land is available for exploitation or development in the Surma Valley, while on the other hand it has been calculated that the Assam Valley has, at a conservative estimate, 2,000,000 acres of cultivable waste land at the present stage awaiting development. The statistics of Muhammadan immigration into the two Valleys are very striking and are of much importance in connection with the present question. Between 1911 and 1921, the rate of increase was no less than 65 per cent. in the Assam Valley as compared with 5.5 per cent. in the Surma Valley. The figures over the period from 1921—31 are 61 per cent. and 12.2 per cent., respectively.

227. The number of Muhammadan seats (4) held by the Assam Valley under the present constitution was based on the population figures of 1911, with a weightage, and we have been strongly pressed to maintain at any rate a proportion of this weightage in the light of subsequent developments, and in view of the desirability of providing an adequate representation for an area in which, so far as it is possible to judge on the material available, the percentage of increase of the Muhammadan population is unlikely for some years to come to fall markedly below 50 per cent. After careful consideration, we are of opinion that despite the argument from present population, the force of which we fully admit, a case has been established for some further concession to the Assam Valley. We see no justification for an increase in the number of Muhammadan seats allotted to that Valley to fourteen as claimed. But we think the case for adding one seat is a good one, and we accordingly recommend that the Muhammadan seats in the Surma Valley should be reduced to 21 and that an additional Muhammadan constituency should be created in the Assam Valley and located in the Kamrup district, giving a total of thirteen seats. The local Government, whom we have consulted, agree that the necessary seat can best be found by combining into a single member constituency in the Surma Valley, the Habiganj *thana* and the Nabiganj *thana*, to each of which a seat is allotted under their original proposals.

*Representations in regard to individual constituencies.*

228. In the light of the representations we received and of discussion with the local Government and its Provincial Committee we

examined the desirability with a view to securing more effective representation for the scheduled castes, of establishing plural-member constituencies containing three seats, one of which would be reserved for the scheduled castes, in

- (i) Gauhati Sadr ;
- (ii) the Habiganj sub-division ; and
- (iii) the Karimganj sub-division.

The local Government are opposed to the creation of plural-member constituencies in the Habiganj and Karimganj sub-divisions, on the ground that the resultant constituencies would be unmanageable, and we accept their view. They agree as to the advantage of a plural-member constituency in Gauhati Sadr and we recommend this. We may add that the plural-member constituency now proposed for Gauhati Sadr is calculated to serve the interests not only of the scheduled castes, but of the domiciled Bengalis, who have strongly urged on us their claims to consideration.

### *The Golapganj Thana.*

229. The suggestion has been advanced to us that the Muhammadan constituencies recommended by the local Government in the Sylhet Sadr sub-division should be re-arranged with a view to the creation of one constituency consisting of the three Jaintia Pargana *thanas* of Kanairghat, Gowainghat and Jaintiapur, and one constituency consisting of that *thana* by itself is too small to justify constituting it an independent constituency, a constituency consisting of Golapganj and the neighbouring *thana* of Fenchuganj. We have carefully considered these proposals. But in the light of the information we have received regarding them, we are satisfied that they are not practicable. The rearrangement proposed would involve on the one hand the framing of a single constituency to cover the Jaintia Parganas (Kanairghat, Gowainghat and Jaintiapur *thanas*). This constituency would have a Muhammadan population of 111,000 with 12,000 voters, and would cover an area of 480 square miles, or practically half of the whole area of the Sadr sub-division. If Golapganj *thana* alone were formed into a second constituency, the constituency would contain a population of 61,000 with 6,000 voters, and an area of 107 square miles. It would thus be disproportionately small. The area of the *thana* of Fenchuganj, which under the local Government's proposals forms a single constituency with the *thana* of Balaganj, is 42 square miles, and its Muhammadan population 15,000. Its addition to the Golapganj *thana* would, it is true, produce a constituency with population and voting strength approximating to the average. On the other hand, the inclusion of the Fenchuganj *thana* in the proposed constituency would leave the *thana* of Balaganj, which covers 148 square miles, and has a Muhammadan population of 63,000 only, to form a single constituency, and the size of this constituency would be so markedly smaller than the average as to be difficult to

justify. In the circumstances, we are of opinion that the utmost that can be done to meet the point which has been raised is to add a portion of the Kanairghat *thana* to the Golapganj *thana*. This the local Government propose to do, and we are of opinion that this will meet any legitimate complaint in connection with the Golapganj *thana*.

*Our recommendations.*

230. We have carefully considered the representations advanced to us on other points connected with individual constituencies, and in particular those allotted to Sylhet-Sadar, and to Sunamganj. We are, however, of opinion, on an examination of the position as a whole, that the proposals of the local Government, with the alterations suggested above, are well-balanced and adequate and we accordingly recommend them for acceptance. We are assured that the constituencies proposed by them, with the modifications now suggested, are such that it will be possible for a member to maintain contact with them, and that no serious difficulty need be anticipated in canvassing.

## IX.—THE NORTH WEST FRONTIER PROVINCE.

231. *Statistics.*

Area .. .. .	13,518 square miles.
Number of districts .. .. .	5
Number of tahsils .. .. .	16
Population—	
Total population .. .. .	2,425,000
Hindus .. .. .	143,000
Muhammadans .. .. .	2,227,000
Sikhs .. .. .	42,500
Unit of constituency .. .. .	Tahsils & Police stations.

*Distribution of seats.*

232. The present Legislative Council consists of two urban and 23 rural Muhammadan constituencies and one urban and five general constituencies, one for Sikhs and two for Landholders—total 34. The future Legislative Assembly will be composed as follows:—

General .. .. .	9
Sikhs .. .. .	3
Muhammadan .. .. .	36
Landholders .. .. .	2
Total .. .. .	50

*Preparatory work by local Government.*

233. Shortly after the publication of the White Paper of 1933, in which the composition of Provincial Legislative Assemblies was provisionally laid down, the local Government consulted the Provincial Franchise Committee as to the general distribution of seats between the various districts and as to the division between urban and rural seats. On the basis of this general distribution Deputy Commissioners were then instructed to consult their District Franchise Committees as to the distribution in detail.

234. As a result of these consultations a considerable measure of agreement was reached. After further considering the few points on which dispute had arisen the local Government formulated provisional proposals which were formally put before a full meeting of the Provincial Franchise Committee on 28th March 1935. The conclusions of this Committee (on most points unanimous, on others by a majority) were provisionally accepted by the local Government, who published them on the 3rd August 1935 with a memorandum inviting expressions of opinion upon them either by individuals or by associations in the Province. Wide publicity was given to the memorandum and representations have been received from certain persons in the districts of Peshawar, Kohat and Hazara.

235. These representations were further considered by a meeting of the Provincial Franchise Committee on 13th September 1935 which was attended by fifteen out of the seventeen members. After careful consideration of the minutes of this meeting and of the representations mentioned above, the local Government have now formed their own conclusions. They coincide in practically all details with the recommendations of the Provincial Committee.

236. The distinguishing feature of the province, apart from its Muhammadan predominance, is that tribal affinities have to be considered. The cantonments are also an important factor.

### *Proposals of the local Government.*

237. The local Government propose three general urban constituencies, Peshawar, Bannu and Dera Ismail Khan. In the case of the Muhammadan constituencies it was, however, found most difficult to draw any appropriate line between urban and rural. There are large villages, as for example, Charzadda, which 'still retain the essential characteristics of village life, while certain towns comparatively small in population have all the qualities moral, social and commercial of the bigger cities.' Roughly then it may be said that any large town and all cantonments, together with those places in which the residents belong to the business and professional classes engaged in trade and industry rather than to agriculture should be included in the urban category.

### *The urban constituencies.*

238. Accepting this principle of differentiation between urban and rural seats, its application to the actual constituencies proposed disclosed a marked difference of opinion in regard to the inclusion of Mardan municipality in an urban constituency with the Northern towns, Abbottabad, Haripur, Basia and Nawanshehr and several cantonments. It is admitted that Hoti, which is practically synonymous with Mardan municipality, is mainly agricultural. Evidence was placed before us which shows that there are actually only 73 Muhammadans and no Pathans out of the 512 shopkeepers in the Mardan bazaar. The population of the municipal and cantonment area is some 21,500. The residents speak Pushtu: the rest of the proposed urban constituency speak Urdu. There is no common interest between Hoti-Mardan and the other towns. Lastly the history of the development of the town from a notified area into a municipality shows, it was contended, that at all stages it was recognised that this "town" of Hoti-Mardan was in fact a collection of villages inhabited by agriculturists apart from the two villages of Becket Ganj and Khawaja Ganj. Thus the *bona fide* agriculturists were at first exempted from the house tax and scavenging tax. Gradually more sections of the Municipal Act were extended to this "notified area" on sanitary grounds, in the interests of the health of the troops in the adjoining cantonments, until in 1931 the whole area was declared a municipality, the purely agricultural part being excluded from certain sections dealing with special sanitary regulations. The Nawab of Hoti, who owns about three-fourths of the notified area, therefore claims that Mardan is not in reality a town, and should not, merely because of the extension of the Municipal Act in a limited form to the locality, be included in the urban constituency. We are assured that this is undoubtedly the view of the people themselves, who would strongly resent inclusion in an urban constituency with towns with which they have nothing in common, which speak a different language and which would be supreme in any election.



239. Against this objection, and in support of the proposal of the local Government, it is urged that it would be inconvenient to cut off parts of the municipality and to include them, even though of natural affinity, in the rural constituency of Kamalzai. Apart from being a transgression of the accepted principle of differentiation, it would also involve a departure from recognised administrative boundaries. Lastly, it appears probable that future development will tend to obliterate rather than to maintain the distinction between the purely agricultural area and the large bazaar. This view is supported by a large majority of the Provincial Franchise Committee.

240. Obviously all cantonments must be regarded as urban in character. The population of the Mardan cantonment is below 1,000. The rest of the population of Mardan municipality, almost entirely composed of Pathans of the Yusufzai clan, is 18,588. The shopkeepers and non-agriculturists are Hindus and Sikhs, who would not have any vote in this Muhammadan constituency.

#### *Our recommendations.*

241. The question therefore is whether we should make an exception in this case to the general rule that the larger municipal areas should be included in urban constituencies, and, recognising that the large majority of the electors would be genuine agriculturists, place them in the adjoining rural constituency of Kamalzai, with which, in fact, they are directly and intimately connected and which they themselves undoubtedly desire to join. This would mean adding a population of some 18,500, with a voting strength of perhaps 1,300, to a constituency with a population of 58,838 and 4,386 electors. The increase in the size of the constituency would not make it unduly large. After very careful examination of the whole case we have arrived at the opinion that the best arrangement for the three urban Muhammadan constituencies will be as follows:—

1. Peshawar City, Peshawar Cantonment with Risalpur and Nowshera Cantonment two seats.
2. Municipalities and cantonments of Kohat, Bannu, Dera Ismail Khan and Abbottabad with the two cantonments of:—  
Mardan and Cherat one seat.

The other four municipalities of Haripur, Nawansher, Baffa and Mardan would go into rural constituencies.

This arrangement will also meet an objection that Peshawar Cantonment should not be separated from Peshawar City.

#### *The rural constituencies.*

242. Turning now to the rural constituencies, the local Government, taking the *tahsils* of the districts, with their convenient and well recognised boundaries, as the unit, have endeavoured to divide these into blocks, composed of district board circles, or areas under the jurisdiction of various police stations, which are, as far as may be possible, equal in population and which are geographically and tribally compact and homogeneous.

As regards the Muhammadan rural constituencies we received a protest that the Wazir tribe was divided between the two constituencies of Bannu *tahsil* and being in a minority in each of them would be unable to capture either seat. We heard evidence and examined the map, which shows the Wazirs to be in the east and west with Bannuchis between them. A suggestion that the whole *tahsil* should be made a dual member constituency was not approved. We agree with the local Government that in this case "tribal divisions must give way to geography".

243. The division of the *tahsils* in Peshawar district has been difficult owing to the clearly marked tribal and sectional divisions which exist. As the local Government report "No scheme can be devised which is not liable to objection from some quarter". We have above suggested the inclusion of Mardan in the Kamalzai constituency of the Mardan *tahsil*. We also considered two proposals designed to redistribute the two constituencies of Mardan and Swabi *tahsils*, the main road from Mardan to Topi being taken as the dividing line and the town of Topi being separated from the town of Zaida.

244. The local Government informed us that either proposal would not only split up a clan, which may be resented, but would also produce a greater difference in population and voting strength than the scheme which they had prepared. The Provincial Franchise Committee, with whom we had the advantage of discussing this question had by a majority approved of the re-distribution, though they were not aware exactly how it would work out. We notice that the Khan of Hoti opposed the proposals. They were worked out subsequently, and the following table exhibits the results of the enquiries in approximate figures. Any exact estimate would need prolonged examination and the figures given in the table are approximate.

Constituency Number.	Names.	Government Scheme.		First alternative proposal.		Second alternative proposal.	
		Population.	Voting strength.	Population.	Voting strength.	Population.	Voting strength.
33	Kamalzai ..	58,838	4,386	90,000	6,000	..	..
34	Utmannama ..	65,000	4,500	67,000	5,500	78,000	5,800
35	Razzar ..	69,000	5,200	60,000	5,000	64,000	4,000
36	Amazai ..	74,000	5,500	50,000	4,000	66,000	6,300

It appears to us conclusively proved that the proposals of the local Government give a more even distribution both of population and voting strength and we recommend that they be accepted.

245. In order to give more adequate representation to the Shia community, who are divided between two *tahsils*, the local Government divided the Kohat *tahsil*, transferring a portion of it, a district board circle, to Hangu *tahsil*. Against this we received a protest. When we suggested a combination of these two *tahsils* as a dual-member constituency, we were advised by a witness who appeared before us, that any

delimitation of a Muhammadan constituency on religious lines should be studiously avoided.

It was contended that the people of the Marai Bala district board circle had no affinities with the rest of the Hangu *tahsil*. In discussion with the local Government we are informed that this was not the case. Hangu *tahsil* including Marai Bala is also geographically very compact, and is roughly of the same size as the adjoining constituency of Kohat. Admittedly a departure from the general principle of keeping the *tahsil* boundaries intact is involved. But the object of this was to include the greatest possible portion of the Shia community in one constituency. The arrangement of this constituency has the approval of that community. The Provincial Franchise Committee was strongly in favour of it, and the local Government support it. We recommend therefore that the Kohat *tahsil* should be divided as proposed.

246. The last protest, as regards Muhammadan constituencies came from Hazara district where objection was taken to the division of the Haripur *tahsil*. The suggestion was made that the Haripur north constituency should be confined to the Ghazi and Torbela police stations, and that the northern part of Haripur police station under the Government's schemes to be placed in the northern constituency, should be included in Haripur Central constituency, while the third constituency (Haripur South) should consist of Khanpur Police station and the portion of the Haripur Police station to the east of the trunk road, instead of the southern portion of Haripur police station now included therein.

The objections that were taken to the constituencies as proposed by Government were three :—

- (a) That the formation is not based on any political, tribal or geographical basis.
- (b) That a population of 1,000 (approximately) has been added to the Ghazi-Torbela constituency, which is unfair, as the part which is added on is compact, and the part to which it is added is hilly and stretches over a wide area, thus jeopardizing the interests of candidates from the hilly tracts.
- (c) That the Haripur portion of the Ghazi-Torbela constituency has nothing in common with the main portion of the constituency, and its influence will be pernicious.

As regards point (a), a reference to the map will indicate that all the constituencies proposed by the Government are homogeneous and as compact as it is possible for them to be, having due regard to the principle of having as far as possible the same strength of population in the different constituencies. It appears to us also that the political division, too, is equitable, inasmuch as the main division of tribes is kept intact, and an equal chance of success is given to a candidate from tribes like the Gujars, Tarin Pathans, Dilazaks, Turks and Awans.

As regards points (b) and (c), it is true that a compact plain area has been added on to a hilly tract. But this criticism can be applied with equal force to other constituencies in the Abbottabad or Mansehra *tahsils*.

The geological formation of the country renders this unavoidable. Seventeen villages have been taken from Haripur police station, with a population of about 10,000, and have been attached to Ghazi-Torbela police stations, which have a total of 90 villages and a population of 34,766. This does not appear to us to be at all unfair to the Tarkheli or Mishwani tribes, nor does it seriously prejudice a candidate from Ghazi or Torbela. Further, out of seventeen villages attached to Torbela-Ghazi, no less than fourteen villages belong to the Khan of Khalabat's family. The Khan of Khalabat is the head of the Utmanzai clan, and the Tarkhelis and Mishwanis are a branch of the Utmanzais. We are therefore of opinion that to move the Utmanzais from the predominantly Pathan constituency would be an injustice.

We notice also that the proposals of the local Government, endorsed by the Provincial Committee, follow the constituency fixed for the last election to the Council. The only difference is that the Sherwan *thana* of Abbottabad *tahsil* was then attached to Ghazi-Torbela. This *thana* has now been removed, as more seats have been allotted to the district.

#### *Our recommendations.*

217. It will be seen then that for the reasons given above we are unable to uphold any of the objections made regarding the Muhammadan rural constituencies proposed by the local Government. We are satisfied that, so far as is possible under the geographical conditions of the province, every consideration has been given to tribal affinities, and to the convenience of the electorate.

#### *General rural constituencies.*

248. It was represented to us that in the Hazara district the Haripur *tahsil* would be over-weighted by three Peshawar *tahsils*. We were informed that the Hazara people wished to remain with the Hazara district, although their representation was very meagre from the population point of view; but that they felt that they would be over-weighted by the inclusion of the Haripur *tahsil* in the Hazara district constituency. It was pointed out that on the present proposals Bannu and Kohat got three seats, while the Hazara district was only given one. The only arrangement that would be possible would be to combine Kohat and Bannu into one constituency, but this proposal, after discussion with the Provincial Franchise Committee, was not approved. It appears to us that it is impossible to improve on the proposals of the local Government.

The final result will be found in Appendix XII in Volume II of our Report. The following table shews the difference between the present and the proposed constituencies:—

		Average Area in square miles.		Population.		Voting strength.	
		General.	Muham- madan.	General.	Muham- madan.	General.	Muham- madan.
Present	..	2,703	765	28,595	111,365	4,028	4,728
Proposed	..	1,502	375	15,886	61,869	2,620	4,797

## X.—ORISSA.

*Statistics.*

Area*	..	..	..	..	32,681 sq. miles.
Number of districts	..	..	..	..	6
Number of sub-divisions	..	..	..	..	18
Number of <i>tahsils</i> and sub- <i>tahsils</i>	..	..	..	..	68
Population—					
Total population	..	..	..	..	8,174,000
Hindus (including scheduled castes and backward tribes)	..	..	..	..	8,043,000
Scheduled castes	..	..	..	..	1,007,000
Backward tribes	..	..	..	..	1,175,000
Muhammadans	..	..	..	..	131,000
Indian Christians	..	..	..	..	37,000
Unit of constituency	..	..	..	..	Sub-division ( <i>tahuk</i> in the case of constituencies transferred from Madras).

\* There are no excluded or partially excluded areas in Orissa.

*Distribution of seats.*

249. In the present Bihar and Orissa Legislative Council Orissa has 10 seats. The future Legislative Assembly will contain 60 seats distributed as follows:—

General (including two non-communal women's seats)	..	..	40
Scheduled castes	..	..	6
Backward tribes	..	..	5
Muhammadian	..	..	4
Indian Christian	..	..	1
Commerce	..	..	1
Landholders	..	..	2
Labour	..	..	1

In the circumstances discussed in paragraph 612 of Chapter XIV of our Report we have recommended that four of the five seats assigned to representatives of backward areas and backward tribes should be filled by nomination.

*Preparatory work by the local Government.*

250. The steps taken for discussion and publication of the proposals of the local Government have been described in paragraph 171 above. The Delimitation Committee formed for the purpose by the Government of Bihar and Orissa was composed of two officials, five Members of the Legislative Council who represented Orissa, two of the principal zamindars, a lady, and a representative from Ganjam.

251. The new province of Orissa will include portions of the districts of Ganjam and Vizagapatam, and a tract from the Central Provinces combining the zamindaries of Khariar and Padampur. The Government of Madras as well as the Government of the Central Provinces were consulted in the formulation of the delimitation proposals. The district of Angul, which is at present an excluded tract, will now receive one seat for a non-Muhammadan population of 14,017. The district of Sambalpur ceases to be a "partially excluded area".

252. A noticeable feature of the province is the large area and population to be provided with seats for either scheduled castes or backward tribes. The Khondmals with the Agency areas taken over from Madras alone provide an aboriginal population of 1,472,000. The province is predominantly Hindu.

*The proposals of the local Government.*

253. So far as male candidates are concerned there will be no urban constituencies. The whole urban non-Muhammadan population is only 17,700, and no town is of sufficient importance to claim the one seat to which that population would entitle the province, nor is it considered desirable or administratively feasible to combine five or six towns at great distances apart. Urban representation would therefore under the local Government's proposals be confined to two special constituencies for women, viz.—

(i) The municipalities of Cuttack, Balasore and Sambalpur;

(ii) The municipalities of Puri, Berhampur and Paradip.

The distribution of the general seats is as a rule made on the basis of population, one seat being assigned on the average to a population of 140,000. The six seats allotted to scheduled castes are permanently assigned to those constituencies where the proportion of scheduled castes is highest. In these two member constituencies the use of the single non-transferable vote is advocated; as also in one constituency in the Sambalpur district in which it is proposed (as in Bihar) to reserve a seat for the backward tribes, rather than create a separate constituency. It is proposed to constitute the Chatrapur and Berhampur taluqs in the district of Ganjam into a three-member constituency in order that the large minority may have a reasonable chance of securing a seat.

*Our discussions.*

254. We had the advantage of two discussions with the Provincial Franchise Committee and with the local Government. The points which we referred back for further consideration upon the two special constituencies were that the necessity for the three-member constituency referred to in the preceding paragraph should be again examined to see if no alternative could be devised; that the two small compact constituencies seemed undesirable in the nature of a question to which we deal separately in Chapter IV of the Report; and the suggestion a re-arrangement of the Provincial and District constituencies.

*Our recommendations.*

255. We received ~~the following suggestions from the Provincial Franchise Committee and the local Government:~~  
 Madras should be ~~constituted as a separate province~~

alleged that this would be in accordance with the practice prevailing in the Madras Presidency. Enquiries however showed that this was unnecessary, and in fact, the suggestion was withdrawn at the second meeting of the Orissa Franchise Committee on October 17th. At the same meeting the Committee withdrew its previous recommendation for the creation in Ganjam of a triple-member constituency with the single non-transferable vote. Having, however, regard to the character of the constituency and of the minority which this arrangement is designed to benefit, we recommend in this case recourse to the single non-transferable vote, and also, after examining the possible alternatives, we consider a multiple three-member constituency the best solution. We also recommend that the Parlakimedi constituency should consist of the state of that name with the Parlakimedi Malialis and the Bolokimedi Malialis (population 121,000 : voting strength 9,947), and that Gunupur, Rayagada, and Bissam-Cuttack should be included in the Koraput constituency (population 180,700 : voting strength 12,878).

256. We support the proposals of the local Government and the Committee with the modifications outlined above. The actual delimitation of the territorial constituencies will be found in Appendix XIII in Volume II of our Report. The divergence in population or voting strength in different districts is explained by the necessity for adhering to administrative boundaries. We are satisfied that the Muhammadan constituencies, the seats reserved for scheduled castes, and the single seat to be filled by direct election by the backward tribes to be assigned to backward tribes, have been judiciously located.

257. It is of interest to note that the average area of a Muhammadan constituency at present is 12,025 square miles and the population 124,170 : for a general constituency the figures are 1,718 square miles and 688,379. In the future Legislative Assembly the average area of a Muhammadan constituency will be 8,170 square miles and the population 32,808. The respective figures for the general constituencies will be 908 square miles and 223,417. In a General constituency under the new constitution the average voting strength will rise from 7,696 to 12,775, while in the new Muhammadan constituencies, the average electorate per constituency will be 1,957 against 1,434 at the present time, an increase of only 523.

## XI.—SIND.

258. *Statistics.*

Area*	..	..	..	..	..	46,378
Number of districts	..	..	..	..	..	8
Number of sub-divisions	..	..	..	..	..	17
Number of <i>talukas</i> , <i>potahs</i> and <i>mahals</i>	..	..	..	..	..	61
Population—						
Total population	..	..	..	..	..	3,887,000
Hindus (including scheduled castes)	..	..	..	..	..	1,015,000
Scheduled castes	..	..	..	..	..	99,500
Muhammadans	..	..	..	..	..	2,831,000
Anglo-Indians	..	..	..	..	..	1,930
Europeans	..	..	..	..	..	6,576
Indian Christians	..	..	..	..	..	6,627
Unit of constituency	..	..	..	..	..	<i>Taluka.</i>

\*There are no excluded or partially excluded areas in Sind.

*Distribution of seats.*

259. In the present Legislative Council of Bombay, there are 13 seats for Sind, distributed as follows :—

	Urban.	Rural.
General	1	2
Muhammadan	1	7
Landholders (Jagirdars and Zamindars)	1	
Commerce (Karachi Chamber of Commerce)	1	

Under the provisions of the Government of India Act there will be 60 seats in the future Sind Legislative Assembly, distributed as follows :—

General (including one for women)	..	..	19
Muhammadan (including one for women)	..	..	34
European	..	..	2
Commerce	..	..	2
Landholders	..	..	2
Labour	..	..	1

*Preparatory work by the local Government.*

260. The arrangements for publicity and discussion of the delimitation proposals are the same as those adopted in the Bombay Presidency and described in paragraph 76 of our Report. A local Delimitation Committee was appointed in Karachi with the Judicial Commissioner as President, which we consider gave full and adequate consideration to all the suggestions made.

*The local Government's proposals.*

261. The proposals of the Sind administration and their Provincial Committee on the question whether the constituencies should be multi-member or single-member differed *in toto* from those made to us by the Bombay Government in respect of Bombay.



The Sind Provincial Delimitation Committee expressed the following view :—

“ We have come to the conclusion that, having regard to the existing conditions, and the ultimate purpose of the enfranchisement of the people, single-member constituencies offer, as against multi-member constituencies, overwhelming advantages. It is true that hitherto multi-member constituencies have served their purpose during the period of transition, but their purpose has been a limited one. Electorates have been small and representatives in the Councils comparatively few in number. Times are now to change. The franchise is to be greatly extended, and the new Government of India Act is to bring into existence a Government responsible to the people in far greater measure than hitherto. It is, therefore, above all things necessary that contact between the Government and the people through their chosen representatives should be as close, simple, direct and effective as possible, and this cannot be the case where multiple representation divides responsibility.

The objections to multi-member constituencies are indeed numerous. By reason of their plural nature, their larger area, the lesser contact between the people and those who represent them, the multiplicity of votes, of voters and of representatives, multi-member constituencies offer greater opportunities for manipulation and intrigue, for the evasion of responsibility, the practice of deception, and for the buying and selling of votes, than do single-member constituencies where one representative is alone answerable to a smaller number of electors.”

262. Among the 33 Muhammadan constituencies Karachi only is recognised as urban and two urban seats are assigned to it. Other towns such as Hyderabad, Sukkur, Shikarpur and Jacobabad are included in single-member rural constituencies. The average population per rural Muhammadan seat is 87,353. Deviations from this are few and are justified by the maintenance of the revenue division—the *taluka*—as the unit for both electoral and administrative purposes.

263. In the general constituencies the average population per seat is 58,001. The Upper Sind Frontier District, with a population of only 25,611 is given a seat, as the Committee, quite rightly in our view, considered that no district should go without representation. Apart from this there is little deviation from the standard. Tharparkar South with an area of 7,450 sq. miles has a population of 94,358, but this constituency includes a large portion of the Sind desert with nomad inhabitants. It is proposed to give two urban seats to Karachi City and one to Hyderabad City Central. Two wards of the latter town are however included in the adjoining rural constituency.

*Representations for consideration.*

264. Apart from strong objections on the part of women to mixed electorates, the written representations and oral evidence which we received were found to necessitate further investigation in the following cases only :—

- (i) Are multi-member constituencies desirable ?
- (ii) Was it possible to create a Muhammadan urban constituency for a total population of 51,176 composed of Sukkur (population 24,150), Shikarpur (population 22,385) and Rorhi (population 4,641) ?
- (iii) Could an urban Muhammadan constituency be formed for Hyderabad City, leaving four rural constituencies for the district ?
- (iv) Was a rearrangement of the Muhammadan constituencies in the Tharparkar district desirable ?
- (v) Would it be advisable to make the whole of Hyderabad City with its suburbs a dual-member general constituency ?
- (vi) Is a demand for four general seats for Tharparkar district justifiable ?
- (vii) Is there any justification for an increase in the number of general seats in Larkana district ?

*(i) Multiple or single-member constituencies.*

265. Those who protested against what they regarded as a departure from past practice claimed that conditions in Sind were identical with those in Bombay. The President of the Sind Separation Conference pointed out also that the Sind Administration, in reply to the first reference made to them by the Bombay Government, had declared themselves in favour of multi-member constituencies for the rural areas, and that this suggestion had been accepted by the Government of Bombay. Even with the disappearance of the present residential restriction, it was urged, a local candidate would alone be returned for a single-member constituency, while single-member constituencies would “keep out the intelligentsia altogether and only bring in the plutocracy” He also (in direct contradiction of the views expressed by the Sind Franchise Committee) contended that personation would be facilitated and corrupt practices encouraged. Finally it was argued that among the Muhammadans there were important minorities, such as Shiahs, Sunnis, Baluchis and Punjabis whose interests needed protection.

266. In view of the marked divergence between the recommendations of the Bombay Government and the Sind Administration in this matter we gave this question close examination. We found in the first place that Sind presents marked differences from the Bombay Presidency. It is predominantly a Muhammadan province, and amongst this community there are no such castes or sub-castes as should be recognized for electoral purposes. We were in fact advised in the North-West Frontier Province that any recognition of minorities among Muhammadans, such

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